

7:25 **New Business**

- [Resolution – Comprehensive Plan Addendum](#)
- [Ordinance – Zoning Ordinance Amendment – Renewable Energy and Procedures](#)
- [Resolution – Comprehensive Plan Amendment Chapter 7, Smart Scale Round 6 Transportation Project at Rt. 89 & Mt. Vale Rd right-turn lane improvement project](#)
- [Ordinance – Erosion & Sediment Control Program](#)
- [Grayson County Access Road Approval](#)
- [Resolution – Casino Gaming Tax Usage](#)
- [Resolution – Amendment to Local Holiday Schedule](#)
- [Resolution - Approve Budget for FY 2024-2025](#)
- [Network Authority meeting date/time](#)
-

----- **County Administrator’s Report**

- None

----- **Informational Items:**

- [Ag Advisory 4-16-24 Minutes](#)
- [ASAP 3-13-24 Minutes](#)
- [Building April 2024](#)
- [Building May 2024](#)
- [Planning-Community Development April/May 2024](#)
- [Sheriff May 2024](#)

8:10 Registered Speaker(s) and Public Comment(s)

*(*Refer to Rules of Procedure (Sec. 6.3)*

Board of Supervisors’ Time:

*(*Refer to 2023 Rules of Procedure (Section 6.4: From the 2023 Rules of Procedure, Titled - Supervisors' Time.))*

...Matters not included on the agenda and not disposed of during each member’s unrestricted time, shall be taken up only if the presiding officer determines that:

- A. They are emergency in nature; or
- B. They involve person present who would not otherwise be present at a Subsequent meeting; or
- C. by the unanimous consent of the membership present

Closed Session

- None

8:30 Adjourn

MEETING DECORUM –

All official meetings conducted within these chambers are to be observed by the following decorum:

- Behavior during all official meetings shall be consistent with the behavior exercised in any court or legislative room found within the Commonwealth of Virginia; and,
- There shall be no outbursts, booing, heckling or other forms of disrespectful behavior by any individuals present within these chambers; and,
- Persons wishing to speak shall do so respectfully and in accordance with the applicable Rules of Procedures and/or at the specific direction of the presiding official; and,
- Out of respect for the official business being conducted, for those conducting the official business and for those present for same purpose, there shall be no private conversations taking place in the audience or other forms of distractive behavior or nuisance; and,
- Please **silence** cell phones and other such devices before entering these chambers.

Grayson County Board of Supervisors
And Grayson County Planning Commission
Joint Meeting
May 2, 2024, at 6pm; G.A.T.E. Center

Members of the Board attending: R. Brantley Ivey, Michael S. Hash, Tracy A. Anderson, Mary Dickenson Tomlinson and Mitchell D. Cornett. Staff attending: Stephen A. Boyer, Mitchell L. Smith, and Linda C. Osborne.

Members of the Planning Commission attending: Brian Walls, Dan Boyer, Justin Funk, Travis Jones, Phillip Vaughan, and Lisa Hash. Also attending: Jada Black, Planning & Community Development Director and Michael Zehner of the Berkley Group.

IN RE: CALL TO ORDER – CONSENT AGENDA

Supervisor Ivey, Chair, called the meeting of the Grayson County Board of Supervisors to order. Supervisor Anderson made the motion to approve the agenda; duly seconded by Supervisor Cornett. Motion carried 5-0.

Mr. Walls, Chair, called the meeting of the Grayson County Planning Commission to order. Mr. Boyer made the motion to approve the agenda; duly seconded by Mr. Funk. Motion carried 7-0.

IN RE: DISCUSSION REGARDING THE PROPOSED COMPREHENSIVE PLAN RENEWABLE FACILITIES POLICIES
AND THE ZONING ORDINANCE REGULATION FOR SOLAR & WIND ENERGY GENERATING FACILITIES

Supervisor Ivey noted that the Board thanks the Planning Commission for the amount of time they have invested into this. Mr. Walls noted the Planning Commission has tried to look out for the benefit of the county and our residents. Mrs. Black noted that the Planning Commission has been working on this for approximately 1.5 years – town hall meetings were held and also conducted a survey and had 79 participants (of the survey); only 6 people attended the town hall meetings and we received 2 letters that was read aloud for the record – to get a better understanding of renewable energy, the Planning Commission consulted the Berkley Group and they reviewed the current policy and text and they gave a synopsis of their findings along with suggestions for items to be addressed – worked with the Berkley Group amending, revising language and policy – based off of what the Planning Commission has heard from the general public along with consensus of the Planning Commission, the Planning Commission felt like they came up with a decent proposal for the county. More discussions took place:

- Disposal of equipment/blades – any recommendations – there’s nothing in our language regarding disposal after the life of a battery/blade – Mr. Zehner noted decommissioning could be added to ordinance for solar/wind – damaged panel(s) for solar can be addressed through conditions (ex: time limit damaged panels have to be moved/collected-like 30 days – can be stored on-site in an enclosed building/container but can’t be stored there indefinitely) – know of no issues regarding leaching of chemicals from panels – there is potential leaking of zinc from galvanized posts/other materials – recommend conditions on projects where damage panels have to be removed from site – our understanding that once these facilities are installed and in operation, the panels have

a life span of 30-35 years – beyond decommissioning, there's nothing in the ordinance that requires the removal of equipment as damaged or storage

- Enforcing body – whomever is doing the decommissioning would be responsible, such as the contractor
- Fire Departments – doesn't have the capability to deal with the wind turbines – require the applicants to do training with the local fire departments prior to operations and there's ways to capture the cost from the developer through conditions and signing agreements where the county can receive funds to offset the costs of firefighting capabilities
- Wind projects in Virginia – Dominion is working a demo and Botetourt County is working on one
- As it currently exists, we have no regulations in Grayson County for wind turbines or solar – Mr. Zehner noted there are minimal regulations for solar or wind – this is the attempt to give the county authority to regulate wind/solar in the County – discussing not a path for renewable energy to come to the County but rather for the County to have some restrictions on it
- Options on moving forward – Mrs. Black noted that if the Board chooses to give further clarification to have Planning Commission either amend policy or text to the zoning ordinance which would be by resolution; amendments would be made, hold public hearing based on the amendments; there would be 2 more opportunities for citizens to speak on this
- Ridgeline Development – 15.2-2295.1 – statute from state code that allows governing body to implement regulation of mount ridge construction which allows the governing body to adopt an ordinance allowing ridgelines to be protected (height/elevation restrictions); elevation of 2,000 ft or more and an elevation of 500 ft or more above the elevation of an adjacent valley floor – could be drafted as an overlay applying only at those elevations – need to make sure it does what we want it to with respect to wind – zoning ordinance can preclude uses including utility scale wind but should talk to county attorney regarding legal ramifications
- Next step – direction to Planning Commission on how to proceed/look at – Solar – Comprehensive Plan doesn't have a percentage/acre cap – currently it's limited to 500 acres with 65% being solar panels – no more than 3% of land area within a 5 mile radius can be used as a fence area for a project – could do maximum acreage number where projects couldn't go over – wind turbines impact the entire county – is it fair to tax at same rate – address our tax rate, talk with county attorney – no clear way to be fair and how to move forward
- Financial benefit to county - Machinery/Tools taxes would be collected – potentially some jobs but would probably be temporary or tax liability
- Decommission disclaimer and surety bond – Mr. Boyer read 3-14.3.6.10 – Decommissioning and Reclamation
- Deposit of funds; escrow cost
- Concern county can't sustain
- Majority of citizens doesn't want this – wants it as restrictive possible
- Who advocates for the county in 5 years? Legal? Consulting firm? – possibly add language
- Contract with renewable energy company – strict as possible – issues with enforceability – seek legal counsel that specialize in this area (renewable energy)
- Like to see 200% - spent money on this – no financial benefit anytime soon – solar doesn't affect everyone like wind turbines do – be more restrictive up front
- 50KW is allowed for residential
- Utility scale – look out for residents

- Planning Commission needs to recommend to the Board of Supervisors – define language – possibly look at zoning on ridgeline
- Mr. Zehner noted that decommissioning can be required by a 3rd party – for decommissioning whether it's in the ordinance or through conditions, usually the applicant is required to submit a licensed reputable source to provide estimated cost of decommissioning and has to be someone that is knowledgeable about the decommissioning process and usually also through the ordinance or conditions on a project would allow the County to engage in 3rd party reviewers for reviewing the decommissioning estimate and also reviewing plans for eventful permits – there's a lot of cost that can be covered by that provision and by the applicant – it's important on the decommissioning side that there would be a requirement to decommission the facility once it's no longer operated – that requirement is first on the owner of the facility – the decommissioning security would only be needed if there was an owner of the facility that was financially unable to meet the decommissioning which is the only time you would go after the security is if the owner couldn't perform the decommissioning financially which is the reason for the security – on the tax side of these for solar, it's a little different for wind you would collect M&T taxes – for solar, collecting M&T tax and set schedules of depreciation of capital investments – equipment is costly – a lot of localities are seeing expected tax revenues from projects and over 30 years could be significant – UVA set up a SOL Tax tool and it explains all of the taxing – the County has an option to do revenue share – we've found that the revenue share usually nets less money over the life of the project but it's an assured amount – can negotiate ways for other revenue/payments for net positive returns

Board is ready to move forward. Mrs. Black noted that the Planning Commission is to revisit decommissioning disposal making it more stringent, ridgeline protection and a cap – Mr. Zehner clarified the following: for solar there's a 3% density within a 5 mile radius and can't locate a facility within 2 miles of another facility with maximum of 500 acres – for wind there's not a similar density limit that he's aware of but there is a requirement that one facility can't be located within a 5 mile radiance of another facility so there is that separation requirement for that facility but not a maximum acreage or percentage area for wind. Supervisor Ivey noted need to amend the language, get the public hearing posted. Supervisor Anderson made the motion that staff draft a resolution for the May 7th Board of Supervisors meeting, initiating amendments to the Comprehensive Plan and Zoning Ordinance that would establish policies for utility-scale solar and wind, and amend existing regulations for these uses, including prohibiting utility-scale wind as an allowed use and further amend the Grayson County Zoning Ordinance to protect mountain top ridgelines by creating a mountain ridge overlay zoning district; duly seconded by Supervisor Cornett. After some discussion, Supervisor Ivey noted they are asking staff to reinstate the process for the Planning Commission to clarify the amendment to the Comprehensive Plan to include ridgeline development to prohibit wind turbines and would allow for a public hearing within the next 30 days. Motion carried 5-0.

ADJOURN

Supervisor Tomlinson made the motion to adjourn the Board of Supervisors; duly seconded by Supervisor Hash. Motion carried 5-0.

Mr. Boyer made the motion to adjourn the Planning Commission; duly seconded by Mr. Vaughan. Motion carried 7-0.

Grayson County Board of Supervisors
Budget Work Session - Boardroom
May 7, 2024, at 3:00 p.m.

Members attending: R. Brantley Ivey, Michael S. Hash, Tracy A. Anderson, and Mitchell D. Cornett. Mary Dickenson Tomlinson arrived at 3:05 pm.

Staff attending: Stephen A. Boyer, Mitchell L. Smith, and Nikki C. Edwards. Also attending – Jada Black, Planning & Community Development Director

IN RE: OPENING BUSINESS

Supervisor Hash made the motion to approve the agenda; duly seconded by Supervisor Cornett. Motion carried 4-0.

IN RE: NEW BUSINESS

- Resolution – Amendment to the Comprehensive Plan and the Zoning Ordinance

Mrs. Black explained the resolution and the Board of Supervisors chose not to have the resolution (listed below) read. Mrs. Black noted there would be a work session on May 14th for the Planning Commission with advertising to follow. Mrs. Black noted that it is excluding/precluding utility scale wind, not utility scale solar in addition to accessory which is residential. Supervisor Hash made the motion to approve the resolution; duly seconded by Supervisor Anderson. Roll call vote as follows: Tracy A. Anderson – aye; Michael S. Hash – aye; Mitchell D. Cornett – aye; Mary Dickenson Tomlinson – aye; R. Brantley Ivey – aye.

**RESOLUTION
TO INITIATE AND REFER TO THE PLANNING COMMISSION CERTAIN
PROPOSED AMENDMENTS TO THE GRAYSON COUNTY
COMPREHENSIVE PLAN AND ZONING ORDINANCE
FOR UTILITY-SCALE RENEWABLE FACILITIES POLICIES
AND REGULATIONS**

WHEREAS, under Section 15.2-2229 of the Code of Virginia, the County, its Planning Commission and Board of Supervisors, may consider amendments to the Comprehensive Plan; and

WHEREAS, Section 15.2-2230 of the Code of Virginia requires a review of the Comprehensive Plan every five years to determine whether it needs to be amended; and

WHEREAS, Section 15.2-2286(A)(7) of the Code of Virginia requires that amendments to a zoning ordinance shall be initiated by a resolution of the local governing body; a motion of the planning commission; or by application of a landowner or a landowner's authorized agent; and

WHEREAS, Section 15.2-2285(8) of the Code of Virginia provides that no zoning ordinance shall be amended or reenacted unless the governing body has referred the amendment or reenactment to the local planning commission for its recommendation; and

WHEREAS, the Board of Supervisors of the County of Grayson, Virginia, finds that due to the increase in renewable facilities across Virginia, changes in State law, and the increased demand for renewable energy generation facilities, there is a need to update the Comprehensive Plan and Zoning Ordinance; and

WHEREAS, the Board of Supervisors of the County of Grayson, Virginia, finds that it is in the best interests and consistent with best land use practices, that the County’s Comprehensive Plan should include policies concerning utility-scale solar and wind facility land uses; and

WHEREAS, by the Board of Supervisors of the County of Grayson, Virginia, finds that public necessity, convenience, general welfare, and good zoning practice warrant that certain amendments be made to the Zoning Ordinance for the regulation of utility-scale solar and wind facility land uses, as well as for the development of mountain top ridgelines.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Grayson, Virginia, as follows:

That amendment of the County’s Comprehensive Plan is hereby initiated and referred to the Grayson County Planning Commission for its recommendation, with such amendments to provide for policies for utility-scale wind and solar facilities, with the Board’s direction that such amendments should identify that utility-scale wind facilities are not an appropriate land use within the County;

That amendment of the County’s Zoning Ordinance is hereby initiated and referred to the Grayson County Planning Commission for its recommendation, with the Board’s direction that such amendments should identify and regulate proper disposal methods for solar panels to minimize environmental impacts, establish acreage limitations for utility-scale solar installations to prevent overdevelopment and preserve the County's rural character, prohibit utility-scale wind facilities as an allowed land use within in the County, and create a create a mountain ridge overlay district to protect mountain top ridgelines from unsuitable development.

Adopted this 11th day of April 2024 in the County of Grayson, Virginia.

ATTEST:

Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

R. Brantley Ivey, Chair
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Grayson County Board of Supervisors on the foregoing Resolution, duly adopted upon a roll-call vote at a public meeting held on May 7th, 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

IN RE: PUBLIC COMMENTS

- Danny Boyer of Spring Valley Rd/Fries/VA - spoke in support of Ag Land & Forestry and services – huge proponent of ag – ag generates \$82.3 billion in the State of Virginia – farms are decreasing in Grayson County and has an effect on ground water recharge – everyone needs to help support ag land - supports all ag services
- Jimmy Osborne of Wilson Hwy/Independence/VA – support ag services from school on to the county programs – need to protect the resources so we have them in the future

IN RE: BUDGET WORKSESSION

- PSA & Special Projects (CIP)

Mr. Boyer showed a power point listed below:

Calendar:

- 5/7/24 – budget Work Session FY24/25 – PSA & Special Projects (CIP)
- 5/9/24 – request public hearing for FY 24/25 budget
- 5/15/24 – legal ad due into the gazette and declaration notifying the holding of a public hearing on the FY 24/25 budget (to meet advertising guidelines must be no later than this date)
- 5/23/24 – Board to hold public hearing on the County Budget
Hold final work session for FY 24/25 budget
Approve School budget
- 6/13/24 – Board to approve the County budget

Goals for today:

- Determine Water Rates and Refuse Fees
- Select the remaining ARPA Projects
- FY 25 CIP – Determine what projects to complete
- General Fund – Balance the budget

What we know:

- Wate fund operating in excess of \$175K deficit
- Louisville Lane Project \$550K
- Remaining ARPA Funds and Projects
- CIP projects

FY2025 PSA Revenues VS. Expenditures

	FY2025 Estimate	FY2023 Actual	Difference
Water Revenue	\$335,000	\$224,333	\$110,667
Water Expenses	\$456,556	\$399,737	\$ 56,819
Difference	(\$121,556)	(\$175,404)	\$ 53,848
Transfer from General	\$121,556	\$175,404	(\$53,848)
Grand Total	\$0	\$0	\$0

The Board discussed the deficit and how to deal with it fairly.

Summary of ARPA

Description	Amount
Total ARPA Received	\$3,020,405
Total Expenditures to date	(\$1,070,118)
Total Obligated to be spent	(\$1,161,916)
Amount Remaining	\$ 788,370
Recommended Projects to include:	
Louisville Lane	(\$ 450,000)
Upgrade to Website	(\$ 35,000)
Bailer for Public Works	(\$ 45,000)
Animal control Vehicle	(\$ 45,000)
Public Works Roof	(\$ 125,000)
Contingency for overages	(\$ 88,370)
Balance	\$ 0

CIP Requests

Department	Description	Amount
Parks and Rec	Lights at Rec Park	\$50,189*
Parks and Rec	Playground Picnic Shelters & Outdoor Volleyball	\$75,000
Parks and Rec	Bleachers Field 1 and 2	\$30,000
Parks and Rec	Tennis Court Repair	\$10,000
Public Works – Refuse	Rolloff Peterbilt	\$175,000
Public Works – Recycle	Recycling Building	\$10,000
	Total Requestss	\$350,189

*Lease Agreement

Financial Forecast

- Calls for a 13 cent in Fiscal Year 2026
- Last substantial increase was in FY20 and equated to 7 cent
- To balance the budget this year, rate would need to be increased by 4.17 cent

Where do we stand?

	FY25 - Budget
Revenue	\$28,944,588
Expenses	\$29,737,829
Difference	\$ 793,241

By code, budget must be balanced

Still work to be done

The Board also discussed the following:

- Requested a comparison tax chart
- Historical School Data Chart
- Numbers and FY22 number being \$1.8M – that number needs to be checked
- Above LRE, welding bays and CIP

Recommendations:

- Levy increase 2 cents – 2025 = \$380,000
- Increase trash fee \$24 per year = \$180,000
- Raise rates on Rolloff's = \$6,000
- Large item pickup - \$50,000
- Advertise 3 cent increase on tax levy

Discussion:

- Budget includes a 35% increase in water – Board asked staff to check into having our own system and asked staff to look at a higher billing rate
- Trash fee – proposed \$2 increase to \$20 per month and asked staff to look into sticker for bags or something for convenience center on Wednesday and Saturday
- Raise rates on Rolloffs \$15 – OK
- Have majority on \$2 increase
- ARPA Projects – Louisville Lane (\$450K); Website (\$35K); Baler (\$45K); ACO Vehicle (\$45K); Public Works Roof (\$125K)
- Use of ACO in Grayson County – remove ACO vehicle request
- Add Bleacher; tennis courts; recycling building as CIP Projects
- Tax rate increase

IN RE: CLOSED SESSION

Supervisor Cornett made the motion to go into closed session to discuss a personnel matter pursuant to §2.2-3711(A)(1) of the code of Virginia; duly seconded by Supervisor Hash. Motion carried 5-0.

Supervisor Anderson made the motion to come out of closed session; duly seconded by Supervisor Tomlinson. Motion carried 5-0.

Whereas, the Grayson County Board of Supervisors has convened a closed session on the 12th day of March 2020, pursuant to an affirmative recorded vote and in accordance with provision of the Virginia Freedom of Information Act; and

Whereas, §2.2-3711 of the Code of Virginia requires a certification by this Board of Supervisors that such closed session was conducted in conformity with Virginia law;

Now, Therefore Be It Resolved that the Board of Supervisors hereby certifies that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this certification resolution applies, and (II) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Board of Supervisors with recorded confirmation from members as follows: Tracy A. Anderson – I so certify; Michael S. Hash – I so certify; Mitchell D. Cornett– I so certify; Mary E. Dickenson Tomlinson – I so certify; R. Brantley Ivey – I so certify.

RE: ADJOURN

Supervisor Anderson made the motion to adjourn; duly seconded by Supervisor Tomlinson. Motion carried 5-0.

R. Brantley Ivey, Chair

Range of Checking Accts: 100GENERAL to 100GENERAL Range of Check Dates: 04/12/24 to 05/09/24
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
100GENERAL					
214980	04/12/24	Alignment Check		VOID	
214981	04/12/24	Alignment Check		VOID	
214982	04/12/24	AFLAC005 Aflac	131.86		1971
214983	04/12/24	ANTH0010 Anthem - Health	7,569.06		1971
214984	04/12/24	ANTH0010 Anthem - Health	145.10		1971
214985	04/12/24	ANTH0015 Anthem - Dental	524.90		1971
214986	04/12/24	BOSTO005 Boston Mutual Life Ins Co	10.14		1971
214987	04/12/24	DSSFL005 DSS FLOWER FUND	87.00		1971
214988	04/12/24	GRAY0105 Grayson Co Treasurer's Office	115.84		1971
214989	04/12/24	MINNE005 Minnesota Life	128.61		1971
214990	04/12/24	NTALI005 NTA LIFE	67.63		1971
214991	04/12/24	SKYLI005 DSS Christmas Club	1,670.00		1971
214992	04/12/24	VAAS0015 VACORP	149.13		1971
214993	04/12/24	VACU0005 VA CREDIT UNION, INC	266.30		1971
214994	04/12/24	WASHI010 WASHINGTON NATIONAL	29.39		1971
214995	04/15/24	Alignment Check		VOID	
214996	04/15/24	ANTH0010 Anthem - Health	339.09		1972
214997	04/15/24	ANTH0015 Anthem - Dental	38.48		1972
214998	04/17/24	RECYC010 Recycling Equipment Corporatio	5,772.46		1974
214999	04/22/24	Alignment Check		VOID	
215001	04/22/24	Alignment Check		VOID	
215003	04/22/24	APPAL005 Appalachian Power	775.34		1975
215004	04/22/24	APPAL015 APPALACHIAN JUVENILE COMMISSIO	1,575.00		1975
215005	04/22/24	ARCET005 ARC 3 GASES	213.99		1975
215006	04/22/24	ASHEC005 Ashe County Garage Doors	278.00		1975
215007	04/22/24	AXON0005 Axon	2,183.00		1975
215008	04/22/24	BKTUN005 Bkt Uniforms	119.98		1975
215009	04/22/24	BOUND005 Bound Tree Medical LLC	770.86		1975
215010	04/22/24	BRCED005 Brceda	39,450.00		1975
215011	04/22/24	BRIGH005 brightspeed	125.22		1975
215012	04/22/24	CARQ0010 Carquest Auto Parts	139.26		1975
215013	04/22/24	CARQ0005 Carquest Of Alleghany	87.25		1975
215014	04/22/24	CITY0010 City Of Galax	19,993.12		1975
215015	04/22/24	COMCA015 COMCAST BUSINESS	781.01		1975
215016	04/22/24	COROM005 Coro Medical LLC	692.89		1975
215017	04/22/24	CREEK005 CREEK BOTTOM BREWING LLC	250.00		1975
215018	04/22/24	DANAS005 Dana Safety Supply	4,189.42		1975
215019	04/22/24	DONNI015 Donnie Ramey	11,468.88		1975
215020	04/22/24	EMBRO005 Embroidery Ville	2,202.05		1975
215021	04/22/24	EVIDE005 Evident Crime Scene Products	122.35		1975
215022	04/22/24	FITZG005 Fitzgerald Peterbilt II, LLC	109.98		1975
215023	04/22/24	FLEET005 Fleetpride	222.36		1975
215024	04/22/24	FOODC005 Food City, Store #866	463.17		1975
215025	04/22/24	GALLS005 GALLS, LLC	112.99		1975
215026	04/22/24	GAZET005 Gazette Press, Inc	110.00		1975
215027	04/22/24	GERON005 Geronimo	450.00		1975
215028	04/22/24	GRAIN010 Grainger	560.33		1975
215029	04/22/24	GRANI010 Granite Telecommunications,LLC	1,235.20	04/22/24 VOID	1975 (Reason: duplicate payment)
215030	04/22/24	GRAY0015 Grayson Co Commonwealth's Atty	393.26		1975
215031	04/22/24	GRAY0055 Grayson Co School Board	4,014.78		1975
215032	04/22/24	GRAY0100 Gray Service Center	800.00		1975
215033	04/22/24	GREAT010 Great American Financial Serv.	289.90		1975

215034	04/22/24	HIGHC005	High Country Springs, Llc	49.45		1975
215035	04/22/24	HOLTZ005	Holtz Industries Inc	209.00		1975
215036	04/22/24	INDE0015	Independence Tire Co	3.19		1975
215037	04/22/24	IWORQ005	Iworq Systems	400.00		1975
215038	04/22/24	JONES025	JONES EXCAVATIONS LLC	12,000.00		1975
215039	04/22/24	KIMBA010	KIMBALL MIDWEST	391.68		1975
215040	04/22/24	KINGS010	Kings Towing and Recovery	1,068.75		1975
215041	04/22/24	LAURA040	Laura Bryant	99.90		1975
215042	04/22/24	LEISU005	LEISURE MEDIA 360	3,450.00		1975
215043	04/22/24	MANSF005	Mansfield Oil Company	12,957.25		1975
215044	04/22/24	MTAIR010	MT AIRY EQUIPMENT, INC.	22,825.00		1975
215045	04/22/24	MTR00020	Mt Rogers Planning Dist Comm	4,020.37		1975
215046	04/22/24	MTR00025	Mt Rogers Vol Fire & Rescue	361.86		1975
215047	04/22/24	NAPAA010	Napa Auto Parts	441.80		1975
215048	04/22/24	NATIO020	National Pools Of Roanoke, Inc	24,655.05		1975
215049	04/22/24	NEWR0025	New River Valley Juvenile Dete	16,500.00		1975
215050	04/22/24	NEWR0030	New River Valley Reg Jail	92,174.75		1975
215051	04/22/24	NWCDI005	Nwcd, Inc	689.78		1975
215052	04/22/24	OMNIL005	OMNILINK Systems	486.87		1975
215053	04/22/24	PEACH010	PEACH BOTTOM LANDSCAPING, LLC	4,800.00		1975
215054	04/22/24	PITNE010	PITNEY BOWES RESERVE ACCOUNT	1,000.00		1975
215055	04/22/24	PITNE020	Pitney Bowes Global Financial	411.27		1975
215056	04/22/24	PMGNE005	PMG Newspapers, Central NC/VA	2,289.20		1975
215057	04/22/24	PRIN0015	Printelect	33.87		1975
215058	04/22/24	PROER005	PRO ERECTORS, INC.	6,329.37	04/22/24 VOID	1975 (Reason: wrong vendor)
215059	04/22/24	PROF0010	Professional Networks, Inc	130.00		1975
215060	04/22/24	PSYCH005	Psychological Health Roanoke	240.00		1975
215061	04/22/24	REBEK005	Rebekah Hines	101.57		1975
215062	04/22/24	RIVER030	River Ridge Organics	39.50		1975
215063	04/22/24	ROSEM005	Rose Mary Cornett	3.60		1975
215064	04/22/24	ROTEN005	Rotenizer Drapery & Carpet	700.00		1975
215065	04/22/24	SANDS005	Sands Anderson Pc	2,241.00		1975
215066	04/22/24	SHEIL025	Sheila Phillips	125.00		1975
215067	04/22/24	SNAP0020	Snap On Tools, K&G Ent	248.15		1975
215068	04/22/24	SOUT0025	Southern Software, Inc	11,096.00		1975
215069	04/22/24	SPILL005	Spilman Thomas & Battle, PLLC	6,390.70		1975
215070	04/22/24	SUSA0020	Susan Hodges	123.28		1975
215071	04/22/24	TACS	Taxing Authority Consulting	1,100.00		1975
215072	04/22/24	THECR005	THE CROOKED ROAD,VA HERITAGE	400.00		1975
215073	04/22/24	THELA010	THE LANE GROUP GALAX	9,700.00		1975
215074	04/22/24	THEPE015	The Peterbilt Store Roanoke	1,361.43		1975
215075	04/22/24	TOWN0010	TOWN OF INDEPENDENCE	1,129.08		1975
215076	04/22/24	TOWN0020	Town Of Troutdale - Water	1,500.00		1975
215077	04/22/24	TREA0010	Treasurer Of Virginia,M.E.	20.00		1975
215078	04/22/24	TREAS020	TREASURERS ASSOCIATION	400.00		1975
215079	04/22/24	TWIN0005	Twin Oaks Veterinary Hospital	241.50		1975
215080	04/22/24	USCEL005	Us Cellular	97.06		1975
215081	04/22/24	VACA	Virginia Association Of Common	1,050.00		1975
215082	04/22/24	VAELE010	VA. ELECTRIC SUPPLY, INC.	975.00		1975
215083	04/22/24	VANES005	Vanessa Hollifield	32.50		1975
215084	04/22/24	VATOB005	Va Tobacco Commission	11,893.36		1975
215085	04/22/24	VCE	Grayson Va. Coop Extention	59.79		1975
215086	04/22/24	VERIZ010	Verizon WIREless (PSA)	120.15		1975
215087	04/22/24	VERIZ015	Verizon Wireless Services, LLC	195.00		1975
215088	04/22/24	VIRGI055	VIRGINIA UTILITY PROTECTION SE	11.50		1975
215089	04/22/24	WORKF005	WORKFORCE UNLIMITED, LLC	1,305.00		1975
215090	04/22/24	XEROX005	Xerox Corporation	823.62		1975
215000	04/23/24			0.00	04/23/24 VOID	0 (Reason: system error)
215002	04/23/24			0.00	04/23/24 VOID	0 (Reason: system error)
215091	04/26/24	ANTH0010	Anthem - Health	339.09		1976
215092	04/26/24	ANTH0015	Anthem - Dental	38.48		1976

215093	04/26/24	USPOS005	Us Postal Service	938.29		1977
215094	04/29/24	AFLAC005	Aflac	131.86		1978
215095	04/29/24	ANTH0010	Anthem - Health	145.10		1978
215096	04/29/24	ANTH0010	Anthem - Health	7,569.06		1978
215097	04/29/24	ANTH0015	Anthem - Dental	524.90		1978
215098	04/29/24	BOSTO005	Boston Mutual Life Ins Co	10.14		1978
215099	04/29/24	DSSFL005	DSS FLOWER FUND	87.00		1978
215100	04/29/24	GRAY0105	Grayson Co Treasurer'S Office	115.84		1978
215101	04/29/24	MINNE005	Minnesota Life	120.77		1978
215102	04/29/24	NTALI005	NTA LIFE	67.63		1978
215103	04/29/24	SKYLI005	DSS Christmas Club	1,670.00		1978
215104	04/29/24	VAAS0015	VACORP	149.13		1978
215105	04/29/24	VACU0005	VA CREDIT UNION, INC	266.30		1978
215106	04/29/24	WASHI010	WASHINGTON NATIONAL	29.39		1978
215107	04/30/24	AFLAC005	Aflac	646.62		1979
215108	04/30/24	AMERO010	American Heritage Life Ins Co	47.58		1979
215109	04/30/24	ANTH0010	Anthem - Health	62,919.22		1979
215110	04/30/24	ANTH0015	Anthem - Dental	4,081.06		1979
215111	04/30/24	BOSTO005	Boston Mutual Life Ins Co	635.56		1979
215112	04/30/24	GRAY0105	Grayson Co Treasurer'S Office	1,337.85		1979
215113	04/30/24	INGO0005	Ing	100.00		1979
215114	04/30/24	MINNE005	Minnesota Life	750.98		1979
215115	04/30/24	VAAS0015	VACORP	813.68		1979
215116	04/30/24	ANTH0010	Anthem - Health	6,472.52		1982
215117	05/03/24	ADAMS005	Adams Building Supply	0.00	05/03/24 VOID	0
215118	05/03/24	ADAMS005	Adams Building Supply	0.00	05/03/24 VOID	0
215119	05/03/24	ADAMS005	Adams Building Supply	1,419.27		1983
215120	05/03/24	AMAZO005	Amazon Capital Services, Inc.	1,343.87		1983
215121	05/03/24	AMORT005	A.Morton Thomas and Associates	1,128.50		1983
215122	05/03/24	APPAL005	Appalachian Power	7,743.08		1983
215123	05/03/24	ARCET005	ARC 3 GASES	158.54		1983
215124	05/03/24	BELTO005	Ethan R. Belton	200.00		1983
215125	05/03/24	BOUND005	Bound Tree Medical LLC	704.90		1983
215126	05/03/24	BREWE010	Brewer Construction	10,000.00		1983
215127	05/03/24	BRIGH005	brightspeed	1,082.04		1983
215128	05/03/24	BROWN005	Brown Exterminating Co	235.00		1983
215129	05/03/24	BURSA005	Bursar'S Office	19,260.03		1983
215130	05/03/24	CARR0020	Carroll-Grayson-Galax Solid Wa	38,325.90		1983
215131	05/03/24	CINTA005	Cintas Corp, #532	0.00	05/03/24 VOID	0
215132	05/03/24	CINTA005	Cintas Corp, #532	0.00	05/03/24 VOID	0
215133	05/03/24	CINTA005	Cintas Corp, #532	2,416.06		1983
215134	05/03/24	CLMAC005	C & L Machine	250.00		1983
215135	05/03/24	COMCA015	COMCAST BUSINESS	663.72		1983
215136	05/03/24	COMP0015	Computer Project Of Illinois,	198.00		1983
215137	05/03/24	COREM005	CORE & MAIN	2,737.98		1983
215138	05/03/24	CREEK005	CREEK BOTTOM BREWING LLC	500.00		1983
215139	05/03/24	CYNTH035	Cynthia Ring	50.00		1983
215140	05/03/24	DALTO005	Dalton Logging, Inc	38.00		1983
215141	05/03/24	DANNY005	Danny Smith	102.64		1983
215142	05/03/24	DENVE010	Denver W Taylor	50.00		1983
215143	05/03/24	DONNI015	Donnie Ramey	8,486.00		1983
215144	05/03/24	DOUGM005	Doug Moxley	50.00		1983
215145	05/03/24	DRUGT005	DRUGTEST RESOURCES VA LLC	4,902.92		1983
215146	05/03/24	EASTC005	EAST COAST EMERGENCY VEHICLES	64.35		1983
215147	05/03/24	EDMUN005	Edmunds & Associates, Inc	332.79		1983
215148	05/03/24	ELEC0010	Election Systems & Software	8,374.16		1983
215149	05/03/24	EMBRO005	Embroidery Ville	314.85		1983

215150	05/03/24	ENVIR020	Environmental Mngmnt Services	200.00		1983
215151	05/03/24	EVANH005	Evan Henck	1,053.87		1983
215152	05/03/24	FITZG005	Fitzgerald Peterbilt II, LLC	1,197.59		1983
215153	05/03/24	FOOTH015	Foothills Garage Doors, LLC	34,947.08		1983
215154	05/03/24	GBOIL005	G&B OIL COMP, INC.	82.32		1983
215155	05/03/24	GOODY005	GOODYEAR COMMERCIAL TIRE	4,585.86		1983
215156	05/03/24	GRAIN010	Grainger	235.99		1983
215157	05/03/24	GRANI010	Granite Telecommunications,LLC	617.60		1983
215158	05/03/24	GRAYS005	Grayson Co C.A.T.E. Center	263.00		1983
215159	05/03/24	GRAYS080	Grayson County	9,167.66		1983
215160	05/03/24	GREAT010	Great American Financial Serv.	347.88		1983
215161	05/03/24	HURTP005	HURT & PROFFITT	10,979.00		1983
215162	05/03/24	IRENE005	Irene Jasper	50.00		1983
215163	05/03/24	JBLAW005	Joseph A Berry	4,220.00		1983
215164	05/03/24	JESSI055	Jessica Vaughan	99.16		1983
215165	05/03/24	JOHNN020	Johnny M Anders	50.00		1983
215166	05/03/24	JONES025	JONES EXCAVATIONS LLC	5,000.00		1983
215167	05/03/24	KATEI010	KATE, INK	236.99		1983
215168	05/03/24	KIPBL005	Kip Blevins	112.52		1983
215169	05/03/24	KNOWI005	KNOWiNK, LLC	32,755.00		1983
215170	05/03/24	LANDS005	Landscape Supply, Inc.	307.28		1983
215171	05/03/24	LANTZ005	Lantz Const, dba Overhead door	2,617.00		1983
215172	05/03/24	NAPAA010	Napa Auto Parts	278.31		1983
215173	05/03/24	PAPER005	Paper Clip	0.00	05/03/24 VOID	0
215174	05/03/24	PAPER005	Paper Clip	3,451.45		1983
215175	05/03/24	PENNC005	PennCare	380.06		1983
215176	05/03/24	PITNE025	Pitney Bowes Inc	91.29		1983
215177	05/03/24	PRIN0015	Printelect	1,171.25		1983
215178	05/03/24	PROFE010	PROFESSIONAL COMM	10,186.70		1983
215179	05/03/24	PROFE020	Professional Communications	5,161.88		1983
215180	05/03/24	ROTEN005	Rotenizer Drapery & Carpet	4,650.00		1983
215181	05/03/24	SUNTO010	Truist	0.00	05/03/24 VOID	0
215182	05/03/24	SUNTO010	Truist	0.00	05/03/24 VOID	0
215183	05/03/24	SUNTO010	Truist	24,731.15		1983
215184	05/03/24	TAKEA005	TAKE A BREAK FR THE INTERSTATE	8.00		1983
215185	05/03/24	TAMMY030	Tammy L Davis	50.00		1983
215186	05/03/24	THEPE015	The Peterbilt Store Roanoke	8,531.98		1983
215187	05/03/24	THOMA045	Thomas R Revels	34.55		1983
215188	05/03/24	TOWN0020	Town Of Troutdale - Water	680.00		1983
215189	05/03/24	TRACY040	Tracy Cornett	35.70		1983
215190	05/03/24	TRUIS005	Truist Institutional Adv Srvc	84,075.26		1983
215191	05/03/24	TWIN0025	Twin Co Regional Chamber	240.00		1983
215192	05/03/24	UNIFI005	Unifirst Corporation	129.19		1983
215193	05/03/24	USCEL005	Us Cellular	0.00	05/03/24 VOID	0
215194	05/03/24	USCEL005	Us Cellular	2,571.09		1983
215195	05/03/24	VANES010	Vanessa Austin	1,200.00		1983
215196	05/03/24	VISIO005	Vision Government Solutions	388.00		1983
215197	05/03/24	WORKF005	WORKFORCE UNLIMITED, LLC	1,305.00		1983
215198	05/03/24	XEROX005	Xerox Corporation	219.36		1983
215199	05/03/24	APPAL020	Appalacian Power (ASAP)	200.00		1984
215200	05/03/24	BANKO005	Bank Of Marion - Visa	1,823.64		1984
215201	05/03/24	COMM0015	Commission On Vasap	851.04		1984
215202	05/03/24	DONNA015	Donna B. Hill	333.61		1984
215203	05/03/24	HIGH0025	Highlands Community Service Bo	500.00		1984
215204	05/03/24	KISER005	Kiser Computer Consulting, LLC	280.00		1984
215205	05/03/24	TOWN0015	Town Of Marion	100.00		1984

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	209	17	829,087.17	7,564.57
Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>
Total:	209	17	829,087.17	7,564.57

Grayson County Board of Supervisors
Regular Meeting
May 9, 2024

Members attending in person: R. Brantley Ivey, Michael S. Hash, Tracy A. Anderson, Mary Dickenson Tomlinson, and Mitchell D. Cornett

Staff attending in person: Stephen A. Boyer, Mitchell L. Smith and Linda C. Osborne

IN RE: OPENING BUSINESS

Supervisor Hash made the motion to approve the agenda/consent agenda; duly seconded by Supervisor Cornett. Motion carried 5-0.

IN RE: PUBLIC HEARING(S)

- A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT(S) ON THE PROPOSED SECONDARY SIX-YEAR PLAN FOR FISCAL YEARS 2024/2025 THROUGH 2029/2030 IN GRAYSON COUNTY AND ON THE SECONDARY SYSTEM CONSTRUCTION BUDGET FOR FISCAL YEAR 2024/2025

Supervisor Anderson made the motion to open the public hearing; duly seconded by Supervisor Cornett. Motion carried 5-0. Mark Williams, Assistant Resident Engineer, spoke and noted that Barry Vaughan, Maintenance Operations Manager, is also in attendance. Mr. Williams noted that 5.2 miles of hard surface has been completed on the secondary six-year plan (2.3 miles of Little River-completed; 1.8 miles of River Bend Rd-completed.; 0.4 miles of Justice Rd-completed; Grand Oaks & Spotwood-completed; 0.2 miles of Stones Chapel Rd-completed). Mr. Williams gave the following overview:

- Kemps River – Under Construction; Ripshin Rd - Under Construction; Low Gap Rd – Engineering Phase; Beech Grove – Engineering Phase
- FY30 Plan Update: FY29 available funding left over from other projects: \$157,291
FY30 available funding: \$663,354
Total available funding: \$820,645
 - All projects on the current plan are fully funded through FY29
 - There is \$820,645 available to add new projects and/or fund any estimate increases on current projects
 - The Board has requested to add:
 - Rt. 882, Horse Shoe Dr. – 0.27
 - Rt. 682, Saddle Creek Rd – 1.85
 - Rt. 697, Beaver Dam Rd. – 1.90

- Total of 4.02 miles
- Total estimate of \$904,500
- Beaver Dam Rd. will require an additional \$83,855 in funding – VDOT will make up the difference using next year’s allocation and/or by adding funds left over from other projects
- Tom Simpson of Two Rivers Dr/Independence – spoke and noted Two Rivers Dr is off of Pleasant Grove Rd – dangerous road – don’t want to see delays
- Jeff Horne of Lost Lake Rd – would like to be on the 6yr plan – area is growing – need ditches clean out/gravel on road – muddy when it rains
- Robert Pauley of Lost Lake Rd – improvements have been made through the years – request to be put on the 6yr plan – more people moving in – Hales Lake access
- David Rutherford of Little River Rd – road is heavily used by log trucks/farmers – road grows up in the summer/becomes washboard – 2 mile section has been pave and 1.04 has been added to the plan – requesting little strip on Alleghany Rd be added
- Debbie Hash of River Hill Ln off of Pleasant Grove Rd – heavily traveled road with 100+ privately owned campers – possible to use safety money to widen some areas? – traffic check in 2014 was an average of 200 cars per day – know traffic has increased in the last 10 years
- Charles Welfare of Beech Grove Ln – new neighbors – more traffic now
- Jerry Wilson of Hickory Ln – called administration to make sure Hickory Ln stays in consideration for the 6yr plan.

Supervisor Cornett made the motion to come out of the public hearing; duly seconded by Supervisor Anderson. Motion carried 5-0. Supervisor Ivey noted that due to a change in VDOT administration, all roads on the 6yr plan need to have a resolution approved. Supervisor Anderson made the motion to read the Secondary Six-Year Plan for FY 2024/25 – 2029/30 (listed below) and to waive the reading of the other resolutions; duly seconded by Supervisor Cornett. Roll call vote as follows: Tracy A. Anderson – aye; Michael S. Hash – aye; Mitchell D. Cornett – aye; Mary Dickenson Tomlins – aye; R. Brantly Ivey – aye.

**RESOLUTION
IN SUPPORT OF
VIRGINIA DEPARTMENT OF TRANSPORTATION'S
SECONDARY SIX-YEAR ROAD PLAN**

WHEREAS, Section 33.2-332 of the Code of Virginia, as amended, provide the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan; and

WHEREAS, the Board had previously agreed to assist in the preparation of the Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2024/25 through 2029/30), as well as the Secondary System Construction Budget (2024/25) on May 9, 2024, after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the propose Plan and Construction Budget; and

WHEREAS, James Schwartz, Residency Administrator, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Road (2024/25 through 2029/30) and the Secondary System Construction Budget (2024/25) for Grayson County; and

WHEREAS, the Board of Supervisors voted unanimously at the May 9, 2024, public hearing to approve the Six-Year Plan for Secondary Roads and Construction Budget as attached.

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interest of the Secondary Road System in Grayson County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2024/25 through 2029/30) and Secondary System Construction Budget (2024/25) are hereby approved as presented at the May 9, 2024, public hearing.

Adopted this 9th day of May 2024 in Grayson County, Virginia.

Recorded Vote

Moved by: _____

Seconded by: _____

Yeas: _____

Nays: _____

A Copy Teste:

Signed: _____

Printed Name: _____

Title: _____

Roll call vote for the resolutions listed below (resolutions are on file in the County Administrator's Office):
Tracy A. Anderson – aye; Michael S. Hash – aye; Mitchell D. Cornett – aye; Mary Dickenson Tomlins – aye;
R. Brantly Ivey – aye.

- Resolution – rural Rustic Rt. 165, Grouse Hollow Ln – 1 mile
- Resolution – Rural Rustic Rt. 701, Cornerstone Rd. – 0.30 miles
- Resolution – Rural Rustic Rt. 915, Grand Oaks Rd. – 0.20 miles
- Resolution – Rural Rustic Rt. 632, Cold Springs Rd. – 1.70 miles
- Resolution – Rural Rustic Rt. 603, Ripshin Rd. – 0.75 miles
- Resolution – Rural Rustic Rt. 715, Pleasant Grove Rd. – 1.30 miles
- Resolution – Rural Rustic Rt. 645, Mooretown Rd. – 0.50 miles
- Resolution – Rural Rustic Rt. 822, Horse Shoe Dr. – 0.27 miles
- Resolution – Rural Rustic Rt. 626, Little River Rd. #2 – 1.04 miles
- Resolution – Rural Rustic Rt. 740, Low Gap #2 – 1.00 miles
- Resolution – Rural Rustic Rt. 697, Beaver Dam Rd. – 1.90 miles
- Resolution – Rural Rustic Rt. 682, Saddle Creek Rd. – 1.85 miles
- Resolution – Rural Rustic Rt. 636, Beech Grove Rd. – 1.70 miles
- Resolution – Rural Rustic Rt. 625, Kemps River Rd. – 0.90 miles
- Resolution – Rural Rustic Rt. 730, Low Gap Rd. #1 – 0.90 miles
- Resolution – Rural Rustic Rt. 632, Cold Springs Rd. #2 – 1.13 miles
- Resolution – Rural Rustic Rt. 713, Beagle Ln – 1.20 miles
- Resolution – Rural Rustic Rt. 634, Longview Rd – 1.00 mile

IN RE: COUNTY ADMINISTRATOR'S REPORT

Mr. Boyer gave the following report:

- Pool Grand Opening is May 24 – fixed the interior of the pool and it's now ADA compliant – looks really nice so go enjoy
- Powerhouse Falls Lot – really nice – enjoy the falls and have a picnic
- Ballfields – will be packed tonight as all 5 fields are being used
- Ramp Festival is May 19
- Final year of the Wayne Henderson guitar competition is June 30
- Tourism card with events listed are now available
- Large item pickup is still in the process – still have the towns of Fries and Independence

- Will be holding several community meetings in the near future to discuss our communications infrastructure project and allow people to ask questions – meetings will be held in the evenings
- County website will be under redevelopment for approximately the next 6 months – goal is to provide as much information as possible
- Ballard Health mobile unit came this week and conducted free health screenings for anyone that needed it

IN RE: REGISTERED SPEAKER(S) AND PUBLIC COMMENT(S)

- Charles Welfare -Beech Grove/Galax – spoke regarding Baywood Rescue Squad and it’s future – very concerned about it’s demise – asking for recommendations on what the community can do to help. Supervisor Ivey noted that the county is at a crossroads regarding EMS – it’s a community decision on how it moves forward – the county will have to take a more active roll which would then require a tax increase – without volunteers, the county will have to make a decision – rural areas are suffering. Supervisor Tomlinson noted that volunteers are needed and everyone can donate
- Janelle Worrell – Powerhouse Rd/Independence – spoke regarding Sanctuary City – reconsider making Grayson County a Sanctuary City for the Unborn

IN RE: BOARD OF SUPERVISORS’ TIME

None

IN RE: CLOSED SESSION

Supervisor Hash made the motion to go into closed session to discuss a personnel matter pursuant to §2.2-3711(A)(1) of the Code of Virginia involving district specific appointments; duly seconded by Supervisor Tomlinson. Motion carried 5-0.

Supervisor Hash made the motion to come out of closed session; duly seconded by Supervisor Anderson. Motion carried 5-0.

Whereas, the Grayson County Board of Supervisors has convened a closed session on the 9th day of May 2024, pursuant to an affirmative recorded vote and in accordance with provision of the Virginia Freedom of Information Act; and

Whereas, §2.2-3711 of the Code of Virginia requires a certification by this Board of Supervisors that such closed session was conducted in conformity with Virginia law;

Now, Therefore Be It Resolved that the Board of Supervisors hereby certifies that, to the best of each member’s knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this certification resolution applies, and (II) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Board of Supervisors with recorded confirmation from

members as follows: Tracy A. Anderson – I so certify; Michael S. Hash – I so certify; Mitchell D. Cornett– I so certify; Mary E. Dickenson Tomlinson – I so certify; R. Brantley Ivey – I so certify.

IN RE: OLD BUSINSS

- Board Appointments

Economic Development Authority – 1yr term

- Jonathan Warren (EC) – term expires 4/13/24 – willing to serve another term
- Jason Baumgardner (OT) – term expires 4/13/24

Economic Development Authority – 2yr term

- Justine Jackson-Ricketts (EC) – term expires 4/13/24
- Todd Cannaday (EC) – term expires 4/13/24 – is willing to serve another term

Economic Development Authority – 3yr term

- Elizabeth Hash (EC) – term expires 4/13/25
- Gary Rascoe (W) – term expires 4/13/25

Economic Development Authority – 4yr term

- Chris Butler (P) – term expires 4/13/26

Economic Development Authority – Advisory Member

- Darin Young (W) – non-voting member appointed 4/14/22

Economic Development Authority

- Roger Rose (EC) – application
- Elizabeth “Betsy” Shearin (W) – At Large application

Rec Advisory Committee – 4yr term

- James H.D. Young, Jr (P) – missed 2 or more meetings & according to by-laws can miss no more than 2 without proper notification – new appointee would fill the remainder of Mr. Young’s term which expires 2/7/28 - Per Supervisor Hash, he has spoken with Mr. Young and he will be at the next meeting and would like to continue to serve.

Supervisor Hash made the motion to approve adding Elizabeth “Betsy” Shearin (at-large) and Kenneth R. Belton and reappoint Todd Cannaday and Jason Baumgardner; duly seconded by Supervisor Tomlinson. Motion carried 4-1 with Supervisor Anderson voting nay.

IN RE: ADJOURN

Supervisor Hash made the motion to adjourn; duly seconded by Supervisor Cornett. Motion carried 5-0.

R. Brantley Ivey, Chair

Grayson County Board of Supervisors
Budget Work Session - Boardroom
May 23, 2024, at 3:00 p.m.

Members attending: R. Brantley Ivey, Michael S. Hash, Tracy A. Anderson, Mary Dickenson Tomlinson and Mitchell D. Cornett.

Staff attending: Stephen A. Boyer, Mitchell L. Smith, and Nikki C. Edwards.

IN RE: OPENING BUSINESS

Supervisor Anderson made the motion to approve the agenda; duly seconded by Supervisor Cornett. Motion carried 5-0.

IN RE: PUBLIC HEARING

- To receive public comment on the proposed budget for Fiscal Year 2024 – 2025

Supervisor Hash made the motion to open the public hearing; duly seconded by Supervisor Tomlinson. Motion carried 5-0. Mr. Boyer and Mrs. Edwards presented the following:

Goals for Today:

- Public Hearing on the County Budget
- Approve School Budget

Financial Forecast

- Calls for a 13 Cent increase in Fiscal Year 2026
- Last substantial increase was in FY20 and equated to 7 cent
- In FY23 we went from .59 cent down to .54 cent
- To balance the budget this year, rate would need to be increased by 4.17 cent

Regional Comparison Tax

Locality	Real Estate	Personal Property
Alleghany County	\$0.73	\$2.98
Carroll County	\$0.64	\$2.30
Grayson County	\$0.54	\$2.25
Galax City	\$1.00	\$2.25
Bland County	\$0.60	\$2.29
Pulaski County	\$0.74	\$2.35
Wythe County	\$0.51	\$2.22
Floyd County	\$0.65	\$3.20

Real Estate: out of 8 localities listed there is only 1 locality whose rates are lower than Grayson – Wythe Personal Property – same only Wythe is lower

1 cent real estate

1 cent personal property

Points discussed: how many of these counties have land use; trash fee; county is bringing in 8.5 cents from trash fee.

Recommendations from last budget meeting

- Levy Increase of 2 cent in FY 2025 – equates to roughly \$380,000
- Increase trash fee by \$24 per year – equates to \$180,000
- Raise rates on roll off dumpsters by \$15 to \$175
- Presented budget included 35% increase in PSA rates

Difference from Recommendations

- No levy increase budgeted – (break up for school in 3yrs – approximately \$260K/year – just funding LRE which is \$345K)
- Increase trash fee by \$24 per year – equates to \$180,000
- Raise rates on roll off dumpsters by \$15 to \$175
- Presented budget includes 50% increase in PSA rates

What we know

- Water fund still operating deficit of \$76,556
- FY25 budget is in balance
- No long-term planning except for ARPA projects approved at the last meeting

Where do we stand

	FY25 – Request	FY25 – Budget (as presented)	FY24 – Budget	% Increase from FY24 Budget
Expenses	\$30,918,535	\$29,386,074	\$29,298,879	
Percent	\$1,532,461	\$87,195		.29%

So far, the Board has reduced the requests by \$1,532,461, leaving only a .29% increase over the current budget – certainly, less than current inflation.

FY2025 Grayson County School Budget

	FY2024 Budget	FY2025 Budget
Instruction	\$18,665,242.34	\$19,196,249.65
Admin, ATT, & Health	\$1,871,011.57	\$1,437,027.05
Pupil Transportation	\$1,985,391.46	\$2,081,188.09
Operation & Maintenance	\$2,446,971.55	\$2,531,974.20

School Food	\$1,313,322.00	\$1,360,732.33
Facilities	\$302,527.95	\$424,261.75
Debt & Fund Transfers	\$1,250,613.82	\$1,243,995.23
Technology	\$907,193.38	\$885,836.14
Grand Total	\$28,742,274.07	\$29,161,264.44

\$29,161,264.44 proposed school budget which \$125K was removed for the welding bays, with the County contribution of \$8,122,07.58 which is \$7,797,047.58 REL and Debt service and \$325,000 above RLE. School budget increase of \$418,990.37. Fund Balance as Carry-Over – Mrs. Edwards noted that historically \$1M has been budgeted in (rainy day fund) to balance the budget but if revenues come in better than projected or expenditures come in lower than projected, then that fund is not used, and it’s added to the fund balance. Also mentioned was keeping the water situation in the Fairview/Oldtown district and the long-term plans for purchasing water from the City of Galax in the fore-front; also discussed was the trash for the Town of Independence and their garbage pickup – Mr. Boyer noted that the County has a contract with both the Town of Fries and Independence and explained the breakdown based on the number of properties in each town. Public hearing comment then took place:

- Roger Rose of Discovery Ln/Elk Creek/VA – don’t raise taxes; likes trash service; inquired about Baywood School; charge water users, not everyone; Rec Park – ask YMCA to come in; sell all old schools not being used
- Ann Rose of Discovery Ln/Elk Creek/VA – loves trash service; sell all old schools; inquired about giving money to EDA
- Denby Bonacquisti of Kindreck Rd/Mouth of Wilson/VA – don’t raise taxes; happy on trash service; noted the county pays more per student than any of the surrounding counties (Smyth/Wythe/Carroll); frustrating trying to get information, need to make information easier to acquire /more accessible (Virginia Code 15.2 outlines the rules for information and Virginia Code 2.2.3707 may also apply) – general point is to get as much information out to the people as possible and make it easier to acquire.

Supervisor Hash made the motion to come out of the public hearing; duly seconded by Supervisor Cornett. Motion carried 5-0.

IN RE: BUDGET WORKSESSION

- Convenience Center Discussion – Mr. Boyer introduced Mr. Jonathan Luper, Director of Grayson County Public Works. Mr. Luper noted that they strive to have a reliable and convenient trash service for the citizens of the county and shared 2 recommendations regarding the convenience center located at the public works department – it’s open on Wednesdays and Saturdays from 8am – 12 noon – FY23 generated 100+ loads of trash on Wednesdays/Saturdays. Recommendations: 1 – Close convenience center, it would save 100 loads of trash and \$50,000+ each year (additional \$50,000 for the convenience center to be in operation) and 6,000 miles+ going to the landfill and it’s 250-300 tons of trash – don’t have compacting capability currently. (A) experience problems for citizens that live outside of area (B) citizens set out trash at home and also bring it on Wednesday/Saturday – making multiple trips. 2 – Form a system (card/coupon –

sold in Treasurer's office), present at convenience for trash disposal associated with parcel number in Grayson County or their 911 address and the number of bags – some way to identify county residents helping make sure that trash is not brought in from outside the county – services paid by the citizens who choose to use it and not subsidized by the citizens who do not use it. Discussion took place regarding bag limit; hearing positive points made about having this service; river lot rates; Mr. Boyer noted one incident of abuse with tires; river lots (currently pay 1/3 of fee – recreational/seasonal) paying full rate; Wednesday vs Saturday usage – depends on the weather, if it's pretty, have more traffic

- School Budget Discussion – Mr. Boyer discussed the CIP agreement and how the Board wishes to proceed – Supervisor Hash made the motion to approve the total school budget of \$29,161,264.44 with county contribution of \$8,122,047.58 which is \$4,797,047.58 RLE and debt service and \$325,000 above local effort. Supervisor Anderson noted there should be something such as a CIP agreement or resolution giving the county an out if needed – Mr. Boyer noted that the resolution be presented at a later meeting. Roll call vote as follows: Tracy A. Anderson – aye; Michael S. Hash – aye; Mitchell D. Cornett – aye; Mary Dickenson Tomlinson – aye; R. Brantley Ivey – aye. Motion carried 5-0.

County budget will be up for approval at the next meeting which is June 13, 2024. Supervisor Cornett would be in favor of seasonal river lot citizens paying more as well as Supervisor Anderson.

Supervisor Ivey recapped:

- Extra \$2/mo on trash fee
- Spread out CIP for school
- Staff look at charging more on river lots
- Increase water rates
- Resolution on school budget to be presented at next meeting

RE: ADJOURN

Supervisor Anderson made the motion to adjourn; duly seconded by Supervisor Tomlinson. Motion carried 5-0.

R. Brantley Ivey, Chair

Range of Checking Accts: 100GENERAL to 100GENERAL Range of Check Dates: 05/09/24 to 06/30/24
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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215206	05/14/24	ANTH0010 Anthem - Health	339.09		1986
215207	05/14/24	ANTH0015 Anthem - Dental	38.48		1986
215208	05/15/24	AFLAC005 Aflac	131.86		1987
215209	05/15/24	ANTH0010 Anthem - Health	8,822.74		1987
215210	05/15/24	ANTH0010 Anthem - Health	407.14		1987
215211	05/15/24	ANTH0015 Anthem - Dental	604.26		1987
215212	05/15/24	DSSFL005 DSS FLOWER FUND	90.00		1987
215213	05/15/24	GRAY0105 Grayson Co Treasurer's Office	115.84		1987
215214	05/15/24	MINNE005 Minnesota Life	110.55		1987
215215	05/15/24	NTALI005 NTA LIFE	67.63		1987
215216	05/15/24	SKYLI005 DSS Christmas Club	1,170.00		1987
215217	05/15/24	VAAS0015 VACORP	149.50		1987
215218	05/15/24	VACU0005 VA CREDIT UNION, INC	266.30		1987
215219	05/15/24	WASHI010 WASHINGTON NATIONAL	29.39		1987
215220	05/20/24	DUNCA005 Duncan Hokie Honda	14,974.67		1993
215221	05/22/24	1908C005 1908 Courthouse Foundation	2,475.00		1997
215222	05/22/24	4IMPR005 4imprint, Inc.	481.30		1997
215223	05/22/24	ADAMS005 Adams Building Supply	0.00	05/22/24 VOID	0
215224	05/22/24	ADAMS005 Adams Building Supply	301.62		1997
215225	05/22/24	AMAZO005 Amazon Capital Services, Inc.	566.89		1997
215226	05/22/24	APPAL005 Appalachian Power	1,073.83		1997
215227	05/22/24	APPAL015 APPALACHIAN JUVENILE COMMISSIO	225.00		1997
215228	05/22/24	ARCET005 ARC 3 GASES	217.72		1997
215229	05/22/24	BERKL005 Berkley Investments, LLC	39,840.00		1997
215230	05/22/24	BLUE3005 Blue 360 Media, LLC	91.95		1997
215231	05/22/24	BOUND005 Bound Tree Medical LLC	636.30		1997
215232	05/22/24	BRIGH005 brightspeed	1,298.12		1997
215233	05/22/24	CBHAN005 C & B Handling, LLC	236.55		1997
215234	05/22/24	CENT0015 Century Link	179.23		1997
215235	05/22/24	CINTA005 Cintas Corp, #532	0.00	05/22/24 VOID	0
215236	05/22/24	CINTA005 Cintas Corp, #532	1,851.15		1997
215237	05/22/24	CITY0010 City Of Galax	32,645.07		1997
215238	05/22/24	COMCA015 COMCAST BUSINESS	774.51		1997
215239	05/22/24	COREM005 CORE & MAIN	137.42		1997
215240	05/22/24	DEXIM005 DEX Imaging	442.26		1997
215241	05/22/24	DISTR005 District III Governmental Coop	1,386.75		1997
215242	05/22/24	EASTC005 EAST COAST EMERGENCY VEHICLES	1,258.10		1997
215243	05/22/24	EDMUN005 Edmunds & Associates, Inc	399.61		1997
215244	05/22/24	EUGEN010 Eugene R McCurdy	2,000.00		1997
215245	05/22/24	FERGU010 FERGUSON ENTERPRISES INC.	1,186.05		1997
215246	05/22/24	FITZG005 Fitzgerald Peterbilt II, LLC	449.20		1997
215247	05/22/24	FLEET005 Fleetpride	1,303.82		1997
215248	05/22/24	FOODC005 Food City, Store #866	158.40		1997
215249	05/22/24	FRIES020 Friesland Corp.	1,266.44		1997
215250	05/22/24	GALA0020 Galax Volunteer Fire Dept	27,000.00		1997
215251	05/22/24	GALA0025 Galax Grayson Ems	37,361.16		1997
215252	05/22/24	GALAX040 Galax Gazette	598.85		1997
215253	05/22/24	GAZET005 Gazette Press, Inc	99.50		1997
215254	05/22/24	GRANI010 Granite Telecommunications, LLC	2,254.31		1997

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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215255	05/22/24	GRAY0015 Grayson Co Commonwealth'S Atty	72.80		1997
215256	05/22/24	GRAY0040 Grayson/Galax Health Dept.	835.36		1997
215257	05/22/24	GRAY0055 Grayson Co School Board	7,523.37		1997
215258	05/22/24	HIGHC005 High Country Springs, Llc	62.90		1997
215259	05/22/24	HURTP005 HURT & PROFFITT	8,374.65		1997
215260	05/22/24	IDENI005 Idenity Links, Inc.	342.15		1997
215261	05/22/24	INDE0015 Independence Tire Co	173.00		1997
215262	05/22/24	JONES025 JONES EXCAVATIONS LLC	19,150.00		1997
215263	05/22/24	JRUBL005 J.Ruble&Sons Truck Sales Inc.	69,500.00		1997
215264	05/22/24	KNOWI005 KNOWiNK, LLC	9,010.00		1997
215265	05/22/24	KURTC005 Kurt Card	27.00		1997
215266	05/22/24	LOWES015 Lowes Home Center	1,415.65		1997
215267	05/22/24	MANSF005 Mansfield Oil Company	0.00	05/22/24 VOID	0
215268	05/22/24	MANSF005 Mansfield Oil Company	12,118.32		1997
215269	05/22/24	MERRI005 Merritt Supply, Inc	268.12		1997
215270	05/22/24	NAPAA010 Napa Auto Parts	531.28		1997
215271	05/22/24	NATIO020 National Pools Of Roanoke, Inc	3,534.00		1997
215272	05/22/24	NEWR0025 New River Valley Juvenile Dete	14,500.00		1997
215273	05/22/24	NEWR0030 New River Valley Reg Jail	80,923.20		1997
215274	05/22/24	NTAIN005 Nta, Inc.	48.36		1997
215275	05/22/24	NWCDI005 Nwcd, Inc	416.06		1997
215276	05/22/24	OLDDO005 Old Dominion Slush Puppie	1,205.00		1997
215277	05/22/24	OMNIL005 OMNILINK Systems	392.50		1997
215278	05/22/24	ONESO005 ONESOURCE PARTS, LLC	267.14		1997
215279	05/22/24	PAPER005 Paper Clip	778.20		1997
215280	05/22/24	PENNC005 PennCare	21,250.60		1997
215281	05/22/24	PIED0010 Piedmont Truck Center, Inc	181.81		1997
215282	05/22/24	PMGNE005 PMG Newspapers, Central NC/VA	2,176.15		1997
215283	05/22/24	PROF0010 Professional Networks, Inc	35.00		1997
215284	05/22/24	RECOV005 Recovery Through Fitness	900.00		1997
215285	05/22/24	RMHEA005 R&M HEATING	8,260.00		1997
215286	05/22/24	ROBYN005 Robyn Dillon	1,390.00		1997
215287	05/22/24	ROUSE005 Rouse House LLC	32.60		1997
215288	05/22/24	SALLY020 Sally Richardson	225.00		1997
215289	05/22/24	SANDS005 Sands Anderson Pc	1,967.00		1997
215290	05/22/24	SHRED005 SHRED-IT	182.22		1997
215291	05/22/24	SOUT0025 Southern Software, Inc	780.00		1997
215292	05/22/24	SOUTH030 Southwest Soils, Inc.	66.00	05/22/24 VOID	1997 (Reason: didnt print)
215294	05/22/24	SOUTH060 Southern Corrosion, Inc	250.00		1997
215295	05/22/24	SPELL005 Spilman Thomas & Battle, PLLC	2,500.00		1997
215296	05/22/24	STAPL015 Staples, Inc.	306.54		1997
215297	05/22/24	THELA010 THE LANE GROUP GALAX	23,940.00		1997
215298	05/22/24	TIMPE005 Tim Pennington	36.00		1997
215299	05/22/24	TOWN0010 TOWN OF INDEPENDENCE	1,171.21		1997
215300	05/22/24	TRICO005 Tri-County Glass, Inc	466.55		1997
215301	05/22/24	UNIFI005 Unifirst Corporation	687.91		1997
215302	05/22/24	USCEL005 Us Cellular	0.00	05/22/24 VOID	0
215303	05/22/24	USCEL005 Us Cellular	1,655.24		1997
215304	05/22/24	VADEP005 Va Dept Of Motor Vehicles	3,525.00		1997
215305	05/22/24	VANES005 Vanessa Hollifield	23.50		1997
215306	05/22/24	VERIZ010 verizon wIreless (PSA)	240.28		1997
215307	05/22/24	VIRGI055 VIRGINIA UTILITY PROTECTION SE	6.90		1997

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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215308	05/22/24	WORKF005 WORKFORCE UNLIMITED, LLC	1,912.50		1997
215309	05/22/24	XEROX005 Xerox Corporation	640.87		1997
215310	05/29/24	ANTH0010 Anthem - Health	339.09		2001
215311	05/29/24	ANTH0015 Anthem - Dental	38.48		2001
215312	05/30/24	AFLAC005 Aflac	131.86		2003
215313	05/30/24	ANTH0010 Anthem - Health	276.12		2003
215314	05/30/24	ANTH0010 Anthem - Health	8,195.91		2003
215315	05/30/24	ANTH0015 Anthem - Dental	564.59		2003
215316	05/30/24	DSSFL005 DSS FLOWER FUND	90.00		2003
215317	05/30/24	GRAY0105 Grayson Co Treasurer's Office	115.84		2003
215318	05/30/24	MINNE005 Minnesota Life	110.55		2003
215319	05/30/24	NTALI005 NTA LIFE	67.63		2003
215320	05/30/24	SKYLI005 DSS Christmas Club	1,170.00		2003
215321	05/30/24	VAAS0015 VACORP	149.50		2003
215322	05/30/24	VACU0005 VA CREDIT UNION, INC	266.30		2003
215323	05/30/24	WASHI010 WASHINGTON NATIONAL	29.39		2003
215324	05/30/24	AIRME005 AirMedCare Network	4,190.00		2004
215325	05/31/24	AFLAC005 Aflac	611.12		2005
215326	05/31/24	AMER0010 American Heritage Life Ins Co	47.58		2005
215327	05/31/24	ANTH0010 Anthem - Health	63,080.67		2005
215328	05/31/24	ANTH0015 Anthem - Dental	4,139.92		2005
215329	05/31/24	BOSTO005 Boston Mutual Life Ins Co	635.56		2005
215330	05/31/24	GRAY0105 Grayson Co Treasurer's Office	2,341.37		2005
215331	05/31/24	ING00005 Ing	100.00		2005
215332	05/31/24	MINNE005 Minnesota Life	739.34		2005
215333	05/31/24	VAAS0015 VACORP	754.54		2005
215334	05/31/24	ANTH0010 Anthem - Health	678.18		2006
215335	05/31/24	ANTH0015 Anthem - Dental	39.53		2006
215336	05/31/24	VAAS0015 VACORP	14.06		2006
215337	05/31/24	ANTH0010 Anthem - Health	4,282.60		2007
215338	06/06/24	1STDE005 1ST DEFENSE PEST CONTROL, LLC	75.00		2011
215339	06/06/24	ADAMS005 Adams Building Supply	461.96		2011
215340	06/06/24	ADVAN025 Advance Auto Parts	136.80		2011
215341	06/06/24	AMAZO005 Amazon Capital Services, Inc.	1,569.55		2011
215342	06/06/24	AMORT005 A.Morton Thomas and Associates	2,598.95		2011
215343	06/06/24	APPAL005 Appalachian Power	1,229.76		2011
215344	06/06/24	APRIL020 Manna Tees Apparel	215.86		2011
215345	06/06/24	ARCET005 ARC 3 GASES	308.79		2011
215346	06/06/24	BKTUN005 Bkt Uniforms	88.99		2011
215347	06/06/24	BOUND005 Bound Tree Medical LLC	432.78		2011
215348	06/06/24	CARR0020 Carroll-Grayson-Galax Solid wa	41,255.45		2011
215349	06/06/24	CENT0015 Century Link	184.77		2011
215350	06/06/24	CINTA005 Cintas Corp, #532	0.00	06/06/24 VOID	0
215351	06/06/24	CINTA005 Cintas Corp, #532	979.68		2011
215352	06/06/24	CITY0010 City Of Galax	720.00		2011
215353	06/06/24	COMCA015 COMCAST BUSINESS	482.00		2011
215354	06/06/24	COMMI005 Commissioners Of Revenue Assoc	275.00		2011
215355	06/06/24	CPICO005 CPI COMMUNICATIONS	1,624.03		2011
215356	06/06/24	EDMUN005 Edmunds & Associates, Inc	5,204.64		2011
215357	06/06/24	ELEC0010 Election Systems & Software	3,639.77		2011
215358	06/06/24	ELKC0010 Elk Creek Rescue Squad	525.38		2011
215359	06/06/24	FERGU010 FERGUSON ENTERPRISES INC.	453.75		2011

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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215360	06/06/24	FIELD005 Fielder Electric Motor Repair	200.00		2011
215361	06/06/24	FITZG005 Fitzgerald Peterbilt II, LLC	924.21		2011
215362	06/06/24	FRIES020 Friesland Corp.	224.12		2011
215363	06/06/24	GALA0010 Galax Gazette	69,303.16	06/06/24 VOID	2011 (Reason: wrong vendor)
215364	06/06/24	GAZET005 Gazette Press, Inc	315.00		2011
215365	06/06/24	GRAY0060 Grayson Co Sheriff's Office	85.27		2011
215366	06/06/24	GRAY0100 Gray Service Center	15,000.00		2011
215367	06/06/24	GREAT010 Great American Financial Serv.	485.32		2011
215368	06/06/24	HILLS005 Hill Studio Pc	24,000.00		2011
215369	06/06/24	HRGAR005 H & R Garage	145.00		2011
215370	06/06/24	HURTP005 HURT & PROFFITT	725.20		2011
215371	06/06/24	JONES025 JONES EXCAVATIONS LLC	1,260.00		2011
215372	06/06/24	KINGS005 Kings Tire Service	1,110.00		2011
215373	06/06/24	LCR00005 LCR	199.32		2011
215374	06/06/24	MANSF005 Mansfield Oil Company	0.00	06/06/24 VOID	0
215375	06/06/24	MANSF005 Mansfield Oil Company	12,141.77		2011
215376	06/06/24	MERRI005 Merritt Supply, Inc	69.50		2011
215377	06/06/24	MTRO0015 Mt Rogers Regional Partnership	30.67		2011
215378	06/06/24	NAPAA010 Napa Auto Parts	102.31		2011
215379	06/06/24	NATI0020 National Pools Of Roanoke, Inc	5,652.00		2011
215380	06/06/24	NWCDI005 Nwcd, Inc	646.21		2011
215381	06/06/24	OLDDO005 Old Dominion Slush Puppie	784.00		2011
215382	06/06/24	PAPER005 Paper Clip	0.00	06/06/24 VOID	0
215383	06/06/24	PAPER005 Paper Clip	696.75		2011
215384	06/06/24	PIED0010 Piedmont Truck Center, Inc	249.96		2011
215385	06/06/24	PMGNE005 PMG Newspapers, Central NC/VA	2,911.55		2011
215386	06/06/24	PRIN0015 Printelect	900.00		2011
215387	06/06/24	ROBYN005 Robyn Dillon	1,400.00		2011
215388	06/06/24	SALLY020 Sally Richardson	300.00		2011
215389	06/06/24	SANDR070 Sandra L Terry	250.00		2011
215390	06/06/24	SHUPE005 Mike Harrison Shupe	9,575.43		2011
215391	06/06/24	SOUT0015 Southeast Energy, Inc	1,868.00		2011
215392	06/06/24	SPORT005 BSN SPORTS	17,716.00		2011
215393	06/06/24	SUNT0010 Truist	0.00	06/06/24 VOID	0
215394	06/06/24	SUNT0010 Truist	0.00	06/06/24 VOID	0
215395	06/06/24	SUNT0010 Truist	23,960.55		2011
215396	06/06/24	SWVIR005 S.W. Virginia Commissioners Of	25.00		2011
215397	06/06/24	TACS Taxing Authority Consulting	4,529.30		2011
215398	06/06/24	TOWN0010 TOWN OF INDEPENDENCE	23.95		2011
215399	06/06/24	TREA0010 Treasurer Of Virginia,M.E.	20.00		2011
215400	06/06/24	TREAS010 Treasurer of Virginia	298.61		2011
215401	06/06/24	TROUT005 Troutdale Vol Fire & Rescue	1,874.77		2011
215402	06/06/24	TRUC0010 Truck Service Enterprise, Inc	3,524.34		2011
215403	06/06/24	USPOS005 Us Postal Service	154.00		2011
215404	06/06/24	WALKE005 walkers welding & Muffler Shop	866.40		2011
215405	06/06/24	WORDS005 wordsprint, Inc.	1,437.38		2011
215406	06/06/24	WORKF005 WORKFORCE UNLIMITED, LLC	911.25		2011
215407	06/06/24	XEROX005 Xerox Corporation	213.35		2011
215408	06/06/24	ABPRI005 A & B Printing	576.00		2012
215409	06/06/24	APPAL020 Appalacian Power (ASAP)	200.00		2012
215410	06/06/24	BANKO005 Bank Of Marion - Visa	873.91		2012
215411	06/06/24	COMM0015 Commission On Vasap	662.66		2012

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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215412	06/06/24	DONNA015 Donna B. Hill	284.52		2012
215413	06/06/24	KISER005 Kiser Computer Consulting, Llc	280.00		2012
215414	06/06/24	SCOTT010 SCOTT E MORRIS	175.00		2012
215415	06/06/24	SPECI005 Special Markets Ins Consultant	235.00		2012
215416	06/06/24	TOWN0015 Town Of Marion	100.00		2012
215417	06/06/24	GALA0025 Galax Grayson Ems	69,303.16		2013
Checking Account Totals					
			<u>Amount Paid</u>	<u>Amount Void</u>	
		<u>Paid</u>			
		<u>Void</u>			
			<u>859,884.88</u>	<u>69,369.16</u>	
		<u>0</u>	<u>0.00</u>	<u>0.00</u>	
		<u>200</u>	<u>859,884.88</u>	<u>69,369.16</u>	
Report Totals					
		<u>Paid</u>	<u>Amount Paid</u>	<u>Amount Void</u>	
		<u>200</u>	<u>859,884.88</u>	<u>69,369.16</u>	
		<u>0</u>	<u>0.00</u>	<u>0.00</u>	
		<u>200</u>	<u>859,884.88</u>	<u>69,369.16</u>	

Totals by Year-Fund					
Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
General Fund	4-100	538,959.38	4,529.30	97,023.98	640,512.66
	4-112	3,690.00	0.00	0.00	3,690.00
CARES ACT	4-113	129,317.17	0.00	0.00	129,317.17
Broadband	4-114	5,043.68	0.00	0.00	5,043.68
CAPITAL IMPROVEMENT	4-355	14,974.67	0.00	0.00	14,974.67
Water - PSA FUND	4-501	42,342.52	0.00	45.93	42,388.45
DMV/RETURNED CHECKS	4-607	3,525.00	0.00	0.00	3,525.00
Year Total:		737,852.42	4,529.30	97,069.91	839,451.63
County Anthem Insurance Fund	X-251	8,472.60	0.00	0.00	8,472.60
ASAP	X-714	11,717.76	0.00	0.00	11,717.76
	X-763	242.89	0.00	0.00	242.89
Year Total:		20,433.25	0.00	0.00	20,433.25
Total of All Funds:		758,285.67	4,529.30	97,069.91	859,884.88

Totals by Fund					
Fund Description	Fund	Expend Total	Revenue Total	G/L Total	Total
General Fund	100	538,959.38	4,529.30	97,023.98	640,512.66
	112	3,690.00	0.00	0.00	3,690.00
CARES ACT	113	129,317.17	0.00	0.00	129,317.17
Broadband	114	5,043.68	0.00	0.00	5,043.68
County Anthem Insurance Fund	251	8,472.60	0.00	0.00	8,472.60
CAPITAL IMPROVEMENT	355	14,974.67	0.00	0.00	14,974.67
Water - PSA FUND	501	42,342.52	0.00	45.93	42,388.45
DMV/RETURNED CHECKS	607	3,525.00	0.00	0.00	3,525.00
ASAP	714	11,717.76	0.00	0.00	11,717.76
	763	242.89	0.00	0.00	242.89
Total of All Funds:		<u>758,285.67</u>	<u>4,529.30</u>	<u>97,069.91</u>	<u>859,884.88</u>

Fund Description	Fund	Current	Prior Rcvd	Prior Open	Paid Prior	Fund Total
General Fund	4-100	538,959.38	0.00	0.00	0.00	538,959.38
	4-112	3,690.00	0.00	0.00	0.00	3,690.00
CARES ACT	4-113	129,317.17	0.00	0.00	0.00	129,317.17
Broadband	4-114	5,043.68	0.00	0.00	0.00	5,043.68
CAPITAL IMPROVEMENT	4-355	14,974.67	0.00	0.00	0.00	14,974.67
Water - PSA FUND	4-501	42,342.52	0.00	0.00	0.00	42,342.52
DMV/RETURNED CHECKS	4-607	3,525.00	0.00	0.00	0.00	3,525.00
Year Total:		737,852.42	0.00	0.00	0.00	737,852.42
County Anthem Insurance Fund	X-251	8,472.60	0.00	0.00	0.00	8,472.60
ASAP	X-714	11,717.76	0.00	0.00	0.00	11,717.76
	X-763	242.89	0.00	0.00	0.00	242.89
Year Total:		20,433.25	0.00	0.00	0.00	20,433.25
Total of All Funds:		758,285.67	0.00	0.00	0.00	758,285.67



Stephen A Boyer
County Administrator
Grayson County, Virginia

129 Davis Street
P.O. Box 217
Independence, Virginia 24348

Phone (276) 773-2471
(276) 236-8149
Fax: (276) 773-3673

To: Stephen A. Boyer
County Administrator

From: Nikki Edwards
Director of Finance

Date: June 5, 2024

Subject: **Unanticipated Revenue, Budget Amendments & Transfers**

On behalf of certain departments, I am requesting the attached allocation of revenues. This request is based on the receipt of revenue and the need for certain budgets to reflect that revenue as indicated.

Similarly, there are also listed requested transfers for your consideration.

Thank you for your attention.

Attachment

For June 13, 2024

Unanticipated Revenue Related Budget Adjustments

<u>Department</u>	<u>Revenue Received</u>	<u>Source of Revenue</u>	<u>Fund</u>	<u>Revenue Account to be Increased</u>	<u>Exp Account to be Increased</u>
Tourism	\$ 270.00	Historical Society	100	Refund 100-18000-03-0050	Promotional material 100-81600-00-3500
Tourism	\$ 6,361.77	Sales Revenue	100	Refund 100-18000-03-0050	Events 100-61600-00-6014
DSS	\$225,000.00	Receivable from Commonwealth	100	100-21000-01-0020	DSS 100-21000-01-0020
Comprehensive services	\$60,000.00	CSA	100	100-32400-00-0040	100-53500-00-0000
Total	\$291,631.77				

1% of Budget = 295,700 requiring public hearing

Budget Adjustments

<u>Department</u>	<u>Expenditure Acct Code</u>	<u>Amount</u>
Magistrate	100-21300-00-0000	\$500
County Admin	100-11200-04-3120	\$25,000
Sheriff	100-31200-00-8000	\$315,000
Emergency Operations	100-32200-00-8015	\$300,000
Juvenile Court	100-33300-00-5300	\$57,000
Refuse Collection	100-42300-00-1100	\$70,000
Treasurer	100-12410-00-1100	\$25,000
Parks	100-71300-00-6015	\$20,000
Other Community Development	100-81500-00-8115	-\$500,000
Capital Investments	100-61000-00-8100	-312,500

Transfer Requests

<u>From Department</u>	<u>Account Code</u>	<u>Amount</u>	<u>To Department</u>	<u>Account Code</u>



Planning & Community Development

129 Davis Street
P.O. Box 217
Independence, Virginia 24348
(276) 773-2000
(276) 236-8149
FAX: (276) 773-0305

To: Grayson County Board of Supervisors
From: Grayson County Planning Commission
Date: June 6, 2024
Subject: Special Use Permit Application 20240069
Applicant: Diana Goodwin / DBA: Blue Ridge Ventures, LLC
Tax Map #: 62-A-78E, 62-A-78F Highlands Parkway, Whitetop, VA 24292

SUMMARY

The Grayson County Planning Commission has reviewed Diana Goodwin, owner/operator of Blue Ridge Ventures, LLC, 's application for a special use permit regarding the property located 62-A-78E and 62-A-78F. The subject property is considered vacant land, zoned Rural Farm, and located within the Wilson District. The purpose of the special use permit was to establish a 15-site primitive campground using both parcels, which total approximately 63 acres.

FINDINGS

Zoning Compliance: A special use permit is required to establish a campground in the Rural Farm District per §3-11 of the Zoning Ordinance. A campground is defined as any lot or planned development on which three(3) or more campsites are occupied or intended for occupancy by unrelated persons and intended for the accommodation of camping for periods of overnight or longer.

§3-12 regulates the health, safety, and welfare of uses and provides general requirements for specified uses such as campgrounds.

Impact on Surrounding Properties: The proposed use may have adverse effects on the surrounding properties and the community.

- Increased traffic through the residential neighborhood;
- Noise pollution- vehicles, noise from campers;
- Fire Risk- not managed properly can pose a significant fire risk to adjacent properties and residents;
- Trash and Pollution- without proper facilities, there could be a trash buildup and pollution, harming the environment;
- Wear and Tear on the Road- impacts from heavy vehicles leading to potholes, erosion and costly repairs;
- Legal Issues- legal complications have already risen over property rights, easement usage between landowners;

- Conflicts over maintenance to shared access. Nothing has been finalized over shared maintenance;
- Safety Concerns of adjoining residential development. It could attract a transient population and increase the risk of crime, vandalism, and other safety concerns. Additional foot traffic and unfamiliar faces can make a resident feel less secure in their own neighborhood;
- Strain on Resources of local law enforcement and fire departments in the event of an emergency could be impacted. Local law enforcement can take several minutes to arrive, and fire is a paid volunteer service that could take several minutes to respond;
- Decreased property values should the campground become known for noise, traffic, or environmental issues, it could potentially decrease the property value, making it harder for residents to sell their homes or affecting their investment value.

Community Input:

Feedback from the community has been taken into consideration. The Planning Commission heard from six (6) adjoining property owners and local residents of the Whitetop Community. Of the six that spoke, the following comments were made.

All six strongly opposed the campground. Concerns addressed were additional vehicle traffic along the right-of-way, lighting, trespassing, maintenance of a shared right-of-way unknown, civil dispute of right of way, fires, parking, illegal drug activity, trash, property depreciation, fire insurance rate increases, an unmanaged campground, intimidation, and threats.

Inadequate Mitigation Measures:

The applicant has not provided sufficient evidence of measures to mitigate the potential negative impacts of the proposed use on the surrounding area and community.

Recommendation:

After a careful review of the special use permit application and relevant factors, the Planning Commission recommends denial for the following factors:

1. The proposed use would have adverse impacts on the character of the neighborhood;
2. The proposed use would have adverse impacts to the shared access right of way used by all adjoining landowners;
3. The proposed use would have an adverse impact on the abutting property;

Motion to recommend disapproval to the Board of Supervisors:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286 (A) (3) & (7) and Zoning Ordinance Section 1-4 and 3-12, it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare, and good zoning practice, I move that the Special Use Permit request 20240069 as presented, be recommended for disapproval to the Board of Supervisors as the issuance of a Special Use Permit would not be in compliance with the Grayson County Zoning Ordinance.

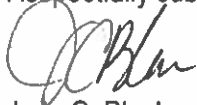
Roll Call Vote:

Hash, aye, Ward, aye, Walls, aye, Boyer, aye, Ballard, aye, Sharpe, aye, Funk aye. Motion carried, 7-0.

Conclusion:

Based on the Planning Commission's findings and recommendations, the special use permit application should be denied. However, the Board of Supervisors does have the final approval to deny, modify, or approve the application as submitted. Should this board consider the same recommendation by the Planning Commission, the applicant will be notified of the board's decision and provided with information on the appeals process, as required in 15.2-2285F of the Code of Virginia.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Black', written in a cursive style.

Jada C. Black
Planning Commission Clerk



GRAYSON COUNTY, VIRGINIA

Planning Commission

May 10, 2024

Mtg. May 21, 2024

Case #: 20240069
Applicant: Blue Ridge Ventures, LLC
SUP Request: To establish a primitive campground in the RF Zoning District
Tax Map Parcel(s): 62-A-78E, 62-A-78F
Property Size: Approximately 62.942 acres +/- total
Magisterial District: Wilson

CASE OVERVIEW

The applicant, Blue Ridge Ventures, LLC, is requesting a special use permit to establish a campground on the following described property. The property is located on the western end of Grayson County, off Highlands Parkway US58E, and further identified as Tax Map Parcel(s) No. 62-A-78E and 62-A-78F. The property is zoned Rural Farm, which allows for a campground with a special use permit and does not need to be rezoned. Subject parcels are not designated in the Enterprise Zone or Opportunity Zone. Additionally, within the proximity of the subject parcel(s), the historical resources information system through the Department of Historical Resources identified zero (0) results.

ATTACHMENTS

SUP Application, Site Plan, Property Location Map, Deed, and ROW Information

LAND USE ANALYSIS

The subject property is located on the western end of Grayson County off Highlands Parkway (US 58E), approximately .4 miles from Route 755 (Old Park Road). The property is currently an undeveloped forested parcel surrounded by parcels of varying sizes. Some parcels are similar in being undeveloped and forested, while others are smaller with residential uses.

Application No. 20240069 requests the establishment of campgrounds to be known as Whitetop Camp for a total of 15 sites to be primitive in nature with no potable water, sewage disposal system, or electricity on two (2) separate parcels located in the Wilson District of Whitetop.

Based on the applicant's conceptual site plan, the campgrounds will be accessed with two entrances. Parcel 62-A-78E (28.673 ac.) is accessed by a 40' deeded right-of-way, and 62-A-78F (32.152 ac.) is accessed by a 30' deeded right-of-way

both through residential adjoining parcels accessed off Highlands Parkway.
(*deed information included in attachments*)

Parcel 62-A-78E, identified as Section 2, will contain 5 primitive camping sites, and parcel 62-A-78F, identified as Section 1, will consist of 10 primitive camping sites. Both sites were approved by the Virginia Department of Health but require signage, and porta-johns are to be within 500 feet of all campsites. Once these elements are in place, another inspection by the health department official will be required.

There are approximately three (3) known campgrounds on this end of the county identified as Rocky Hollow Campground, Creeper Trail Campground, and Grayson Highlands State Park.

GENERAL INFORMATION - LOCATION, SITE PLAN, ROAD ACCESS, ETC.

Parking and Access: No defined parking areas on either parcel, deeded ROWs leads to both vacant parcels that are mainly forested with small areas of open space.

Street Design: VDOT will require a low-volume commercial permit. No permit has been approved to date; there are line-of-sight issues. VDOT staff recommended tree removal.

Lots: No individual lots were created for proposed primitive campsites.

Management: Blue Ridge Ventures, LLC/Owner/Operator

Water and Sewer: VDH, required porta johns on both parcels no less than 500 feet away from all proposed campsites. No potable water available on site.

Uses: The applicant intends to advertise primitive campsites through Airbnb, Hip Camp, etc., and rent nightly. Current information suggests that the applicant is already advertising primitive campsites through these entities.

Overview of Impacts:

There will be no management on the premises during operating hours. Concerns about the campground's management could potentially impact neighboring properties, such as noise, campfires built without regard to rules, and other unwarranted activity. Likely no cell service for out-of-town guests to contact management for assistance or emergency services.

Additionally, other impacts that should be considered are:

- Emergency vehicle access concerns without proper ingress and egress to campsite locations

- Campsite rental locations undetermined; porta-john locations undetermined
- Management to let campers “pitch wherever.”
- Lighting plan unknown for the safety of guests
- Parking area designation with safe routes to campsites nonexistent
- No property boundary signage or markers have been clearly defined.
- Road access to service port-a-johns is nonexistent; port-a-johns are required to be within 500’ of campsites. The conceptual plan suggests campsites to be located at the rear of the parcel
- Campgrounds lacks signage for rules, contact information, etc.
- Additional vehicle impacts to right of way maintenance agreement between parties, unknown

Recommendations & Conditions:

As set forth in the Zoning Ordinance Sec. 2-26, a campground includes but is not limited to a travel trailer camp, recreation camp, family campground, camping resort, camping community, or any other area, place, parcel, or tract of land, on which three or more campsites are occupied or intended for occupancy or facilities established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer. Campgrounds must operate in compliance with state and local requirements.

Section 3-12 of the Zoning Ordinance regulates the health, safety, and welfare of uses and can be met while providing low-impact services and business to the community and Section 1-4, The purpose and design of the Grayson County Zoning Ordinance is for the promotion of health, safety, and or general welfare of the public in accordance with 15.2-2283 and 15.2-2200 of the Code of Virginia. This chapter of the Code of VA is designed to:

- 1) Improve the public health, safety, convenience, and welfare;
- 2) Plans for the future development of communities to the end of that transportation systems are carefully planned;
- 3) Develop new community center with adequate highway, utility, health, educational, and recreational facilities;
- 4) Provide residential areas with healthy surroundings for family life;
- 5) Preserve agricultural and forestal land;
- 6) Assure community growth in harmony with the efficient economic use of public funds.

Planning staff has reviewed the application request and recommends denial of the requested special use permit based on the following factors as defined by the Code of Virginia Section 15.2-2283 and the Grayson County Zoning Ordinance.

1. The proposed use would have adverse impacts on the character of the neighborhood;
 - Increased traffic through the residential neighborhood,
 - Noise pollution- vehicles, noise from campers
 - Fire Risk- not managed properly can pose a significant fire risk to adjacent properties and residents
 - Trash and Pollution- without proper facilities, there could be a trash buildup and pollution, harming the environment

2. The proposed use would have adverse impacts to the shared access right of way used by all adjoining landowners;
 - Wear and Tear on the Road- impacts from heavy vehicles leading to potholes, erosion and costly repairs
 - Legal Issues- legal complications have already risen over property rights, easement usage between landowners
 - Conflicts over maintenance to shared access. Nothing has been finalized over shared maintenance.

3. The proposed use would have an adverse impact on the abutting property;
 - Safety Concerns of adjoining residential development. It could attract a transient population and increase the risk of crime, vandalism, and other safety concerns. Additional foot traffic and unfamiliar faces can make a resident feel less secure in their own neighborhood.
 - Strain on Resources of local law enforcement and fire departments in the event of an emergency could be impacted. Local law enforcement can take several minutes to arrive, and fire is a paid volunteer service that could take several minutes to respond.
 - Decreased property values should the campground becomes known for noise, traffic, or environmental issues, could potentially decrease the property value, making it harder for residents to sell their homes or affecting their investment value.

Since this is a zoning matter, the standard statement regarding the Planning Commission's recommendation on this zoning matter must be read. In order to assist, staff has prepared the following motions:

Motion to recommend approval to the Board of Supervisors with conditions:

(Conditions not included with this report; PC must set and define specific conditions)

BE IT RESOLVED, that in order to assure compliance with the Virginia Code Section 15.2-2286(A)(7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirement of public necessity, convenience, general welfare and good zoning practice, I move that special use permit request, 20240069, as presented by recommended for approval with conditions to the Board of Supervisors.

-OR-

Motion to recommend disapproval to the Board of Supervisors:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286 (A) (3) & (7) and Zoning Ordinance Section 1-4 and 3-12 it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare, and good zoning practice, I move that the Special Use Permit request 20240069 as presented, be recommended for disapproval to the Board of Supervisors as the issuance of a Special Use Permit would not be in compliance with the Grayson County Zoning Ordinance.

* MOTION CARRIED 7-0

Proposed Whitetop Camp Sections 1 & 2

Write a description for your map.

Legend

- Area
- Cozy Hideaway
- Railroad Market & Cafe
- United States Postal Service



Zoning Permit Application



Grayson County, Virginia

Zoning Request: Permit Variance Special Use Rezone

Applicant Name:	Blue Ridge Ventures, LLC	PAID MAY 20 2024 PAID
Mailing Address:	14679 Highlands Parkway	
City, State Zip	Whitetop, VA 24292	
Phone:	919-612-6550	

Name:	Blue Ridge Ventures, LLC
Property Address:	TBD Highlands Parkway

Tax Map Number:	62-A-78E 62-A-78F
Total Acreage:	60.83
Is the property in the flood plain?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the structure located within the flood plain?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, is flood elevation determined?	
Structures will meet minimum setback requirements of the Grayson County Zoning Ordinance	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Applicant Request	Special Use Permit request for 15 primitive campsites on two parcels 62-A-78F (10) 62-A-78E(5)

I certify that all information given in this application is true and correct to the best of my belief and knowledge.

Signature (Property Owner): *David [Signature]*

Date: 05/06/2024

On behalf of Blue Ridge Ventures LLC as Manager

Office Use Only

COMMENTS: *Approval of this permit is on the condition that the information provided on this application does not change.		Approval Date: 05/06/2024	
Present Zoning: RF		Zoning Administrator: Jada C. Black	
Permit Number: 20240069	Permit Fee: \$151.00		

Notes:



Special Use Permit Application - Form 0300
 Department of Planning and Community Development
 P.O. Box 217, Independence, VA 24348
 Voice 276-773-200 Fax-276-773-3673

**COMPLETE ALL INFORMATION
 INCOMPLETE APPLICATIONS CAN NOT BE ACCEPTED**

The Planning Commission will study the Special Use Permit or Comprehensive Plan (15.2-2232) review requests to determine the need and justification for the change in terms of public health, safety, and general welfare. Please answer the following as thoroughly as possible. Use additional space if necessary.

It is the Applicant's responsibility to ensure that the project is feasible. A consultation with the Planning Director is encouraged to ensure the application is complete.

1. The Applicant is the: Owner Agent for Owner

Sole managing member for the LLC

Applicant: Last Name, First	Blue Ridge Ventures, LLC Diana Goodwin,	
Mailing Address:	14679 Highlands Pkwy, Whitetop, VA Manage ^U	
Phone Number:	919-612-6558	24292
Email Address:	BRVContactUs@gmail.com	
Property Owner: (if Different from Above)		
Mailing Address:		
Phone Number:		
Email Address:		
Tax Map Number:	① 62-A-111 ② 62-A-78F ③ 62-A-78E	Parcel Size in Acreage: ① 4 ② 32 "Section 1" ③ 28 "Section 2"

2. Describe how the subject property(ies) is currently being used.

No usage, vacant land.

3. Describe the proposed project (uses to be changed, added, or expanded as part of the project, including the number of employees and hours of operation)

Campground in accordance with Grayson County Zoning Ordinance 2-33.
Staff - (1) Manager, (1) Landscaper, (1) cleaning staff. Hours: 24/7 with new camper entry allowed between the hours of 8a.m - 9p.m. and by reservation, only.

4. List and describe each proposed structure to be constructed or enlarged as part of this project. Each description must include the use of each structure, heights (ft. or stories), and sizes (sq. ft.) based on outside dimensions.

See ATTACHED

5. List and describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as the impacts on public services and facilities, including noise, water/sewer, roads, schools, churches, business, parks/recreation and fire, and rescue.

None to minimal negative impact to any of the above. Strict quiet hours will be enforced with no generators nor loud music, pets allowed. Property boundaries will be well marked. Any erected lights will be directed away from the neighbors' homes. Anticipated positive impact to Whitetop businesses and tourism. * see below

6. Is the project use consistent with the Comprehensive Plan? Specifically, reference comprehensive plan goals.

Yes, specifically Sec. 10-4, 8, and 9.

* 5. Entry to the campground will be by reservation, only. Reservations will be made through Airbnb, Hipcamp, the like, with ID required.

7. Will the project require a permit from other licensing agencies (e.g. Department of Environmental Quality, VA Department of Energy, VA Department of Social Service, Virginia Department of Motor Vehicles). Yes No If yes, please explain.

Grayson County Health Department
VDOT

8. **SITE PLAN**

The level of needed detail may vary depending on the nature, size, and complexity of the proposed project. The Planning Director may grant exemptions or require additional information depending on the nature of the project. The following items shall be addressed:

- Title of the Project
- Lot size in acres, showing right of ways, easements, road access, entrances
- Zoning District
- List of all adjoining properties with names of owners, tax map numbers, and those directly across any public right-of-way, including those in adjacent jurisdictions
- Utilities
- Parking areas
- Vegetative Buffers
- Natural water courses and 100-year flood plain limits, if applicable
- Fences
- Proposed and Existing structure locations
- Show linear distance from proposed and existing structures to property lines and roadways

An aerial site plan is preferred and is available at the Grayson County GIS at <https://www.webgis.net/va/grayson/>.

For Commercial and Industrial projects, a stamped (engineered) site plan is required to address the requirements above and other items deemed necessary by the Planning Director. Examples of requests may be typography of the project area with contours intervals of two feet or less, approximate location and sizes of sanitary and storm sewers, water mains, culverts, and underground structures, existing or planned, in or near the project, traffic analysis or traffic impact study.

The Director may waive requirements for items determined unnecessary to review the project or proposal, based on the proposal application submission.

APPLICATION PROCESS

The Special Use Permit application will be reviewed by the Grayson County Planning Commission at their regular monthly meeting. If recommended for approval, the application will proceed to a review by the Grayson County Board of Supervisors. The application may take 2 - 3 months for approval. The State Code of Virginia, 1950 requires that a Public Hearing be held for both the Planning Commission and the Board of Supervisors to review a Special Use Permit. A Public Hearing notice will be issued in the paper announcing the Public Hearing and all adjoining landowners will be notified by certified mail. In order to process the request a complete application, required to rezone fee, and a current site plan or survey representing the property must be submitted to the Zoning Department at least 3 weeks prior to the Planning Commission meeting date.

Applicants are encouraged to research the potential of the site for the ability to meet all local, state and federal regulations prior to applying for a Special Use Permit. This should include a review of the project by Virginia Department of Transportation for the ability to meet commercial entrance requirements, Virginia Department of Health and/or provider of well and septic services, discussion with the Grayson County Building Official, review of Erosion and Sediment Control Plan where grading is involved and conversations with adjacent landowners about any affect on their property.

Any changes to the application once it is received must be submitted at least 7 days prior to the meeting of the Planning Commission. The Applicant or a representative must be present at the meeting at which the application for rezone is considered. If the decision of the Planning Commission or Board of Supervisors is to be appealed, the Applicant should submit an appeal of the decision per State Code of Virginia, 1950, as amended.

APPLICATION FEES

Must accompany the application and are as follows:

- Special Use Permit Fee \$55.00 + certified letter fee

The application fee will be assessed based on (cost of certified letters) x (number of the properties) required to be sent to adjoining landowners as required by the Code of Virginia for Public Hearing notice requirements.

APPLICANT AND OWNER CERTIFICATION OF SIGNATURE

I certify that the information listed on this application is true and correct to the best of my belief and knowledge. By signing this application, I agree to permit duly authorized representative(s) of any regulatory or advisory agency to enter upon the subject property at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit(s) and after permit issuance to determine compliance with the permit

If the Applicant and Owner are different individuals, both must sign. If Applicant is the same, please sign as Owner.

Applicant Signature Debie Goodwin on behalf Date: 2/23/24
of Blue Ridge Ventures LLC
 Owner Signature as Manager Date: _____

STAFF NOTES:

Invoice PAID 5/20/2024

OFFICE USE ONLY - Special Use Permit Application - Form 0300 - Revised 05/07/12	
Property ownership and zone review <u>RURAL FARM</u>	Floodplain Review: <u>YES / N/A</u>
Application, and site plan submitted on _____	Public Hearing notice for BOS sent: _____
Fee: <u>151.00</u> Paid on: <u>2/21/24</u> <u>Revised - 5/11/24</u>	BOS recommendation: _____ Date: _____
Building Official Consulted: <u>5/16/2024</u>	Disqualified use review: _____
VDOT Consulted: <u>4/18/2024</u>	Conditions for approval: _____
Public Hearing notice for PC sent: <u>5/11/2024</u>	Zoning Administrator: <u>[Signature]</u>
PC Recommendation: <u>Denial</u> Date: <u>5/21/2024</u>	Letter sent to applicant: _____
	Permit Number: <u>20240009</u>

Site Plan: Whitetop Camp

Submitted by Diana Goodwin, Managing Member Blue Ridge Ventures, LLC

Adjoining Property Owners:

Map Number: 62-A-111B
Owner: PENNINGTON, GARY A & VICKIE L
15793 HIGHLANDS PKWY
WHITETOP VA 24292

Map Number: 62-A-111A "5-B" on survey
Owner: EVAN SHAW
15805 HIGHLANDS PKWY
WHITETOP VA 24292

Map Number: 62-A-112
Owner: MYERS, JENNIFER
307 SHADY LN
LANSING NC 28643

Map Number: 62-A-78D
Owner: PETERSON, STEPHEN M & VIRGINIA A MCGLOTHLIN
106 CHISHOLM ST
CARY NC 27511

Map Number: 62-A-111A "5-A" on survey
Owner: ETHAN SHAW
15825 HIGHLANDS PKWY
WHITETOP VA 24292

Map Number: 62-A-111A "5-C" on survey
Owner: DALTON LOGGINS
15825 HIGHLANDS PKWY
WHITETOP VA 24292

Properties Owners Directly Across the Public ROW:

Map Number: 62-A-100A
Owner: WINGLER, SHIRLEY L ETALS
15724 HIGHLANDS PKWY
WHITETOP VA 24292

Map Number: 62-A-100B
Owner: GREER, CONLEY L & STELLA
15708 HIGHLANDS PKWY
WHITETOP VA 24292

Utilities: There is no electric nor water available in either Section of the campground.
There will be a portajohn in each of Sections I and II.

Parking: There is a graveled parking area in Section I (62-A-78F).
There is a grassed parking area in Section II (62-A-78E).

Structures: No permanent structures exist in either of the Sections. A non-permanent shelter (10 x 20) exists in Section II.

Primitive camping sites will be placed as follows:

Section I (62-A-78F)

10 primitive camping sites

Section II (62-A-78E)

5 primitive camping sites

Vegetative buffers: There is vegetation buffering all outer property line boundaries except along Highlands Parkway. There is a varying amount of line of sight vegetation buffer between all subject parcels and the adjacent and across Highlands Parkway parcels.

Fencing: Fencing or other constructed visual barrier is scheduled to be erected the first week of May along most of the Loggins/campground Section II (62-A-78E) shared line, with a 40' opening at the right-of-way.

RAILROAD
MARKET & CAFE

← HIGHLANDS
PKWY →

DRIVEWAY
OUT

DRIVEWAY
OUT

'CABIN' SHELTER

100m

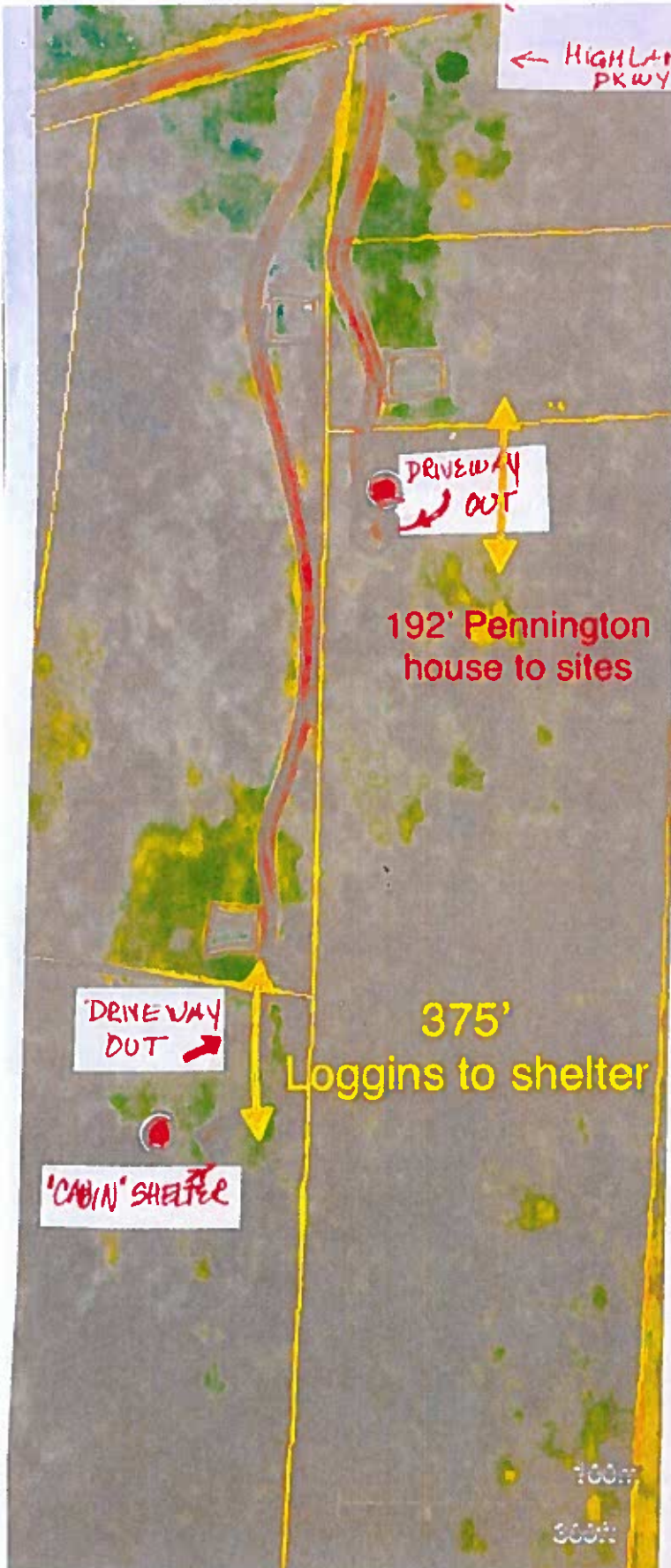
300m

SECTION II

SECTION I

● = Portapotty

↳ = Driveway out to
Highlands Parkway



← HIGHLANDS PKWY →

Distances

↑↓ Property line to sites 122.5'

● = Portapotty

⌋ = Driveway out to Highlands Parkway

DRIVEWAY OUT

192' Pennington house to sites

DRIVEWAY OUT

375' Loggins to shelter

'CABIN' SHELTER

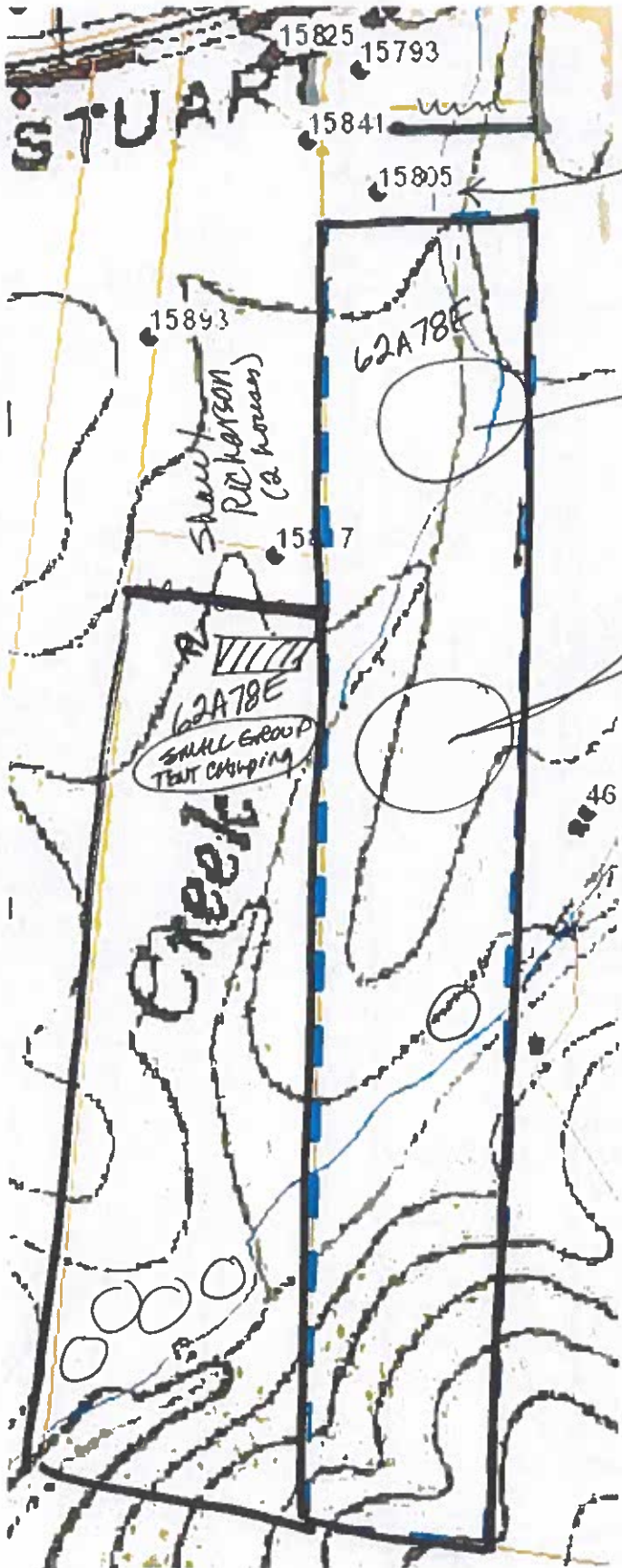
100m

300ft

SECTION II

SECTION I

Proposed/Existing
Structure/Site Locations



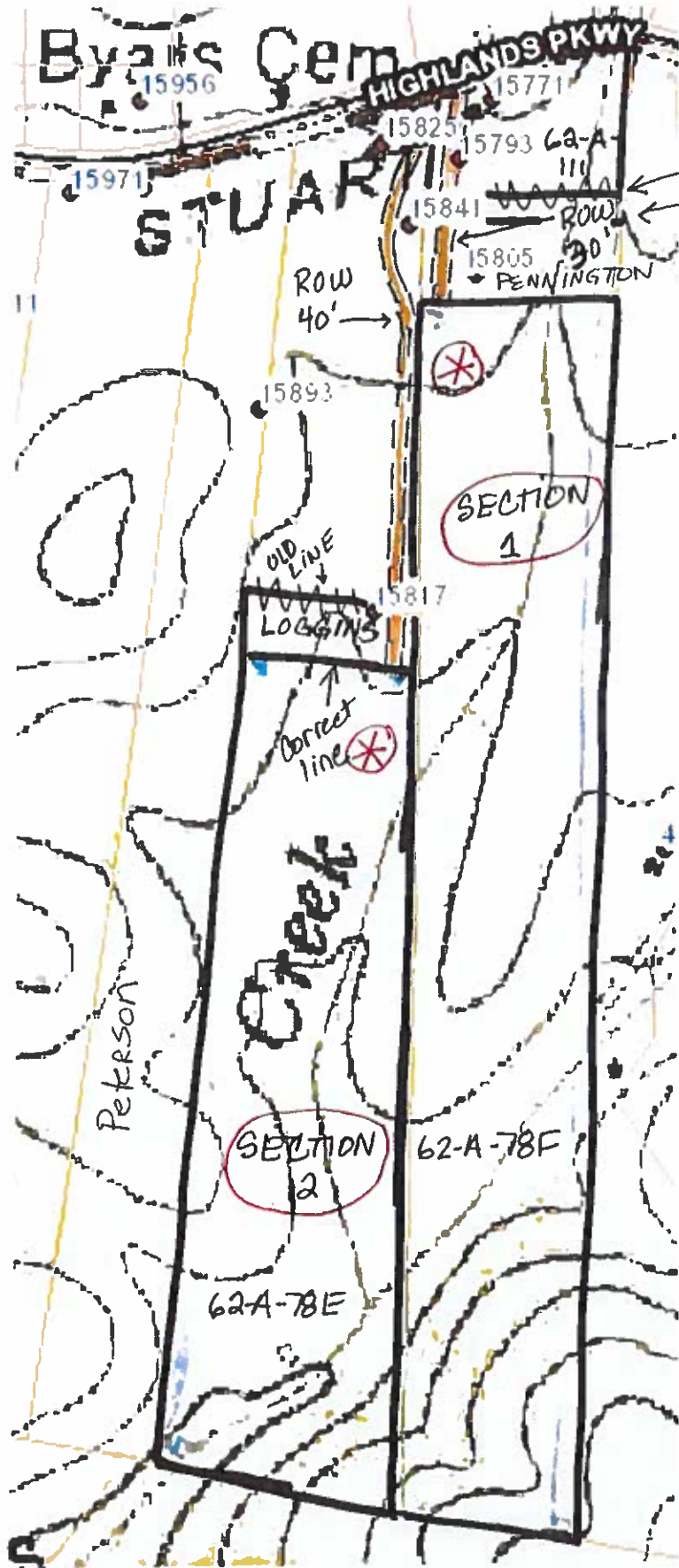
Pennington

SCATTERED
FREE-CHOICE
PRIMITIVE SITES-
CLEARED AREAS
WILL BE TOWARDS
THE EAST PROPERTY
LINE ON 62-A-78E

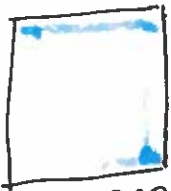
○ = Primitive
Tent site

Distance From any
Camping site ~~with~~ to
Pennington and Shaw/
Richardson residences
will be a minimum
of 100'

"White top
Camp"

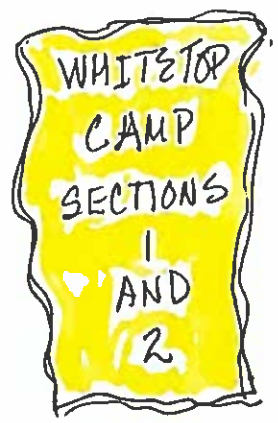


GIS SHOWS
LINE INCORRECTLY
- IT IS FURTHER
BACK



CAMPGROUND
BOUNDARIES

* = APPROXIMATE
LOCATIONS OF
PORTA-JOHN
(2)



hitetop Camp / Easy 2WD Access!

6 reviews · Grayson, Virginia

Select a site

Share

Save



6 acres hosted by Diana G.

1 RV site · 2 tent sites



Activities



Biking



Fishing



Hiking



Horseback riding

Natural features



Forest



River, stream, or creek



Mountainous



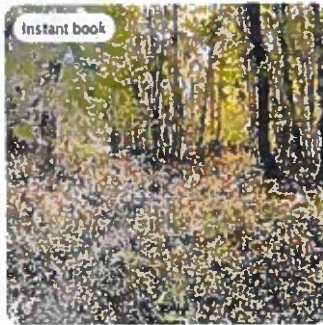
Field

Diana is a Star Host

Star Hosts are highly rated, responsive, and committed to providing incredible experiences.

Tent sites (dispersed)

2 sites



Primitive Tent Camping

Tent site - Sleeps 2

Pitch your tent pretty much wherever you'd like on our 32 quiet wooded acres. There are some lovely creek-side sites if...

- No campfires
- Toilet
- Potable water
- No pets
- No showers
- No picnic table

2 dispersed sites

from \$25 / night

\$30 total incl. taxes and fees

Add dates

RV sites

2 sites



RV Site for Bigger Rig Easy Access

Vehicle site - Sleeps 4 - Vehicles under 40 ft

Compete parking for your longer rig: RV or pull-behind trailer-truck, up to about 40' total length. Super easy level...

- No campfires
- Toilet
- Potable water
- No pets
- No electrical hookup
- No water hookup

from \$35 / night

\$42 total incl. taxes and fees

Add dates



RV Site for Smaller Rig Easy Access

Vehicle site - Sleeps 4 - Vehicles under 27 ft

Park your small RV/truck - max 17' trailer on our cleared, level grassy lot. Super easy access off Hwy 58 then a short...

- No campfires
- Toilet
- Potable water
- No pets
- No electrical hookup
- No water hookup

from \$40 / night

\$48 total incl. taxes and fees

Add dates

Lodging

1 site



Little Red Shelter

100% (3)

Cabin - Sleeps 3

PLEASE READ THROUGH: This is a very basic enclosed shed-shelter, brand new, clean and dry. Open the three windows...

- No campfires
- Toilet
- Potable water
- No pets
- No showers
- No picnic table

from \$45 / night

\$54 total incl. taxes and fees

Add dates





**COMMONWEALTH OF VIRGINIA
VIRGINIA DEPARTMENT OF HEALTH
Grayson County Health Department**

Certifies That:
Blue Ridge Ventures, LLC

Is Hereby Granted a Permit/License to Operate a:
Campground

Trading As:
Whitetop Camp

Located At:
**15771 Highlands Pkwy
Whitetop, VA 24292**

*In accordance with authority granted by the Code of Virginia to the Board of
Health of the Commonwealth of Virginia.*

Sites: 15
Maximum Number of Campers: 15
Facility Type: Annually Permitted
Permit Expiration Date: 04/26/2025


Cassandra Comette
Environmental Health Specialist, Sr.

*Concerns or questions, please call: (276) 773-2961
This permit is not transferable from one owner or location to another.*

62-A-78F 10

62-A-78E 5

1 porta John on each parcel w/in 500' of campsites

Jada Black

From: Wiggins, Cassandra (VDH) <Cassandra.Wiggins@vdh.virginia.gov>
Sent: Wednesday, May 1, 2024 3:00 PM
To: Jada Black
Subject: whitetop camp
Attachments: whitetop campground plan.pdf

Good afternoon Jada,

Attached is the plan for Whitetop camp. They will have 10 sites on section 1 (shown on the plan) and 5 on section 2. They are required to have a port-a-john within 500' of all camp sites so this camp will need 2. 10 sites or less per parcel. They are also required to have signage posted, which she is aware of and has drafted some temporary ones that I have approved. Once she has her permanent signs and port-a-johns, I will do another inspection but she has met our standards for a camp ground. These sites will be privative and no potable water or sewage disposal systems will be provided, only port-a-johns. Please let me know if you have anymore questions, have a good day!

best,

Cassandra Cornette (Wiggins)
Mount Rogers Health District
Office of Environmental Health Services
Environmental Health Specialist, Sr.
Grayson County and Galax City
276-782-5340 Cell
276-773-2961 Office



Protecting You and



CONFIDENTIALITY NOTICE: Information contained in this email is deemed confidential and private. Unauthorized access, sharing, or replication of this information may be a violation of federal law.

BK0687PG0637

0 1908

PREPARED BY AND RETURN TO:
David J. Hutton #18744
Hutton & Associates, P.C.
131 Valley St. NE
Abingdon, VA 24210

Tax Map Number: 62-A-78E

Consideration \$125,000.00
Tax Assessed Value: \$100,400.00

Title Insurance Underwriter: Investors Title Insurance Company

THIS DEED made and entered into this 28th day of September, 2023, by and between **REBECCA BLEVINS REEDY** and **EMILY LYNN BLEVINS**, as Grantors, and **BLUE RIDGE VENTURES LLC**, a Virginia limited liability company, as Grantee.

WITNESSETH:

That for and in consideration of the sum of **One Hundred Twenty-Five Thousand and 00/100 Dollars (\$125,000.00)**, receipt of which is hereby acknowledged, the Grantors do hereby bargain and sell, grant and convey unto the Grantee all that certain lot or parcel of land situate, lying and being in the Wilson Magisterial District, Grayson County, Virginia, more particularly described as follows:

Designated as Tract No. 5, containing 39.31 acres, more or less, as shown on a plat entitled "W.P. RUPARD LANDS," made by D. B. Dudley, C.L.S., a copy of which is filed for record in the Clerk's Office of the Circuit Court of Grayson County, Virginia, in M-480 and to which reference is hereby made for a more particular description of the property herein conveyed.

LESS and EXCEPT 9.357 acres, more or less, retained by Kimberly M. Richardson, et al. by Deed dated July 24, 2006 and recorded in Deed Book 466, Page 674 and as shown on a plat appearing at Page 676.

LESS and EXCEPT 1.280 acres, more or less, conveyed to Kimberly Richardson and Danny Shaw by Deed dated October 4, 2017 and recorded in Deed Book 611,

Page 968.

BEING the same property conveyed to Rebecca Blevins Reedy and Emily Lynn Blevins by Deed of Gift dated February 24, 2020, from Danie R. Shaw, of record in the aforesaid Clerk's Office in Deed Book 638, Page 821, as Instrument No. 200000408.

This property is SUBJECT to and BENEFICIARY of such rights-of-way or easements for access in common with others, or utilities which are of record in the aforesaid Clerk's Office or are apparent to observation, including but not limited to a right-of-way following the existing roadway leading from State Route #58 across the lands of Kimberly M. Richardson that appears to be a tract of land containing 9.357 acres, more or less, to and from the property herein conveyed as set forth in said deed of record in Deed Book 540, Page 342.

This conveyance is made expressly subject to and the beneficiary of the restrictions, conditions, rights-of-way, and easements, if any, contained in deeds, plats and other instruments constituting constructive notice in the chain of title to the property conveyed herein, which have not expired by a time limitation contained herein or have otherwise become ineffective, and to matters visible upon inspection.

The property described above is commonly known as TBD Highlands Parkway, Whitetop, Virginia 24292.

TO HAVE AND TO HOLD unto the Grantee, its beneficiaries and assigns, in fee simple absolute.

This conveyance is made with covenants of general warranty and English covenants and is unencumbered except for taxes for 2023, which have been prorated between the parties and assumed by the Grantee.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

BK0687PG0639

WITNESS the following signatures and seals this the day and year first above written.

Rebecca Blevins Reedy (Seal)
REBECCA BLEVINS REEDY

COMMONWEALTH OF VIRGINIA
COUNTY OF WASHINGTON, to-wit:

The foregoing instrument was acknowledged before me this 28th day of September, 2023, by Rebecca Blevins Reedy.

Kimberly D. [Signature]
Notary Public

My commission expires: 11/30/2025
Notary registration number: 7107384

Emily Lynn Blevins (Seal)
EMILY LYNN BLEVINS

COMMONWEALTH OF VIRGINIA
COUNTY OF WASHINGTON, to-wit:

The foregoing instrument was acknowledged before me this 28th day of September, 2023, by Emily Lynn Blevins.

Kimberly D. [Signature]
Notary Public

My commission expires: 11/30/2025
Notary registration number: 7107384

Current Address of Grantees:
Blue Ridge Ventures LLC
14679 Highlands Pkwy.
Whitetop, VA 24292

DELIVERED

SEP 23 2023

David Hutton

3

INSTRUMENT 230001908
RECORDED IN THE CLERK'S OFFICE OF
GRAYSON CIRCUIT COURT ON
SEPTEMBER 28, 2023 AT 01:17 PM
\$125.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$62.50 LOCAL: \$62.50
SUSAN M. HERRINGTON, CLERK
RECORDED BY: RHN

62-A-78E

BOOK 559 PAGE 640

0667

Mail after recording to: Richard Landon Blevins, 15825 Highlands Parkway, Whitetop, VA 24292

Prepared By: John T. Kilby, Attorney at Law, PO Box 24, West Jefferson, NC 28694

Map No.: 62-A-78E (Blevins)
62-A-111A (Richardson)

THIS DEED OF EASEMENT made and entered into this 11th day of January 2013 by and between **KIMBERLY M. RICHARDSON, Single**, as Party of the First Part, **GRANTOR** and **RICHARD LANDON BLEVINS**, Party of the Second Part, **GRANTEE**.

-WITNESSETH-

WHEREAS, the Party of the First Part is the owner of a certain tract of land located in Grayson County, Virginia, said tract of land being more particularly described in Deed Book 293, Page 195, in the Clerk of Circuit Court's Office in Grayson County, Virginia, and;

WHEREAS, the Party of the Second Part desires to obtain an easement over the Party of the First Part's land to provide access to the Party of the Second Part's adjoining lands, and;

WHEREAS, the Party of the First Part have agreed, subject to the terms and conditions set forth herein, to grant unto the Party of the Second Part, his heirs and assigns, an easement as hereinafter set forth.

NOW THEREFORE, FOR AND IN CONSIDERATION of the premises and the sum of **TEN DOLLARS (\$10.00)**, cash in hand paid by the Grantee to the Grantor, and other good and valuable consideration, the receipt whereof is hereby acknowledged, the Party of the First Part does hereby grant and convey with General Warranty and Modern English Covenants of Title, in fee simple, unto the Party of the Second Part, his heirs and assigns, a 40 foot easement, described as follows:

AN EASEMENT BEGINNING AT A ROADWAY LEADING FROM US HWY. 58 ACROSS THE LANDS OF THE GRANTOR HEREIN TO THAT CERTAIN PARCEL OF LAND CONTAINING 29.953ACRES (DEED BOOK 466, PAGE 674 AND DEED BOOK 540, PAGE 342). SAID RIGHT OF WAY TO BE 40 FEET IN WIDTH, 20 FEET IN EACH DIRECTION FROM THE CENTERLINE OF SAID ROADWAY.

The above described property is the same property conveyed from Kimberly M. Richardson, Alma Richardson (Conveying Her Life Estate) and Husband, Otis Richardson (Conveying His Life Estate) to Richard Landon Blevins and Wife, Sherry R. Blevins in deed dated July 24, 2006 recorded in Deed Book 466, Page 674, Grayson County Clerk of Circuit Court's Office, Virginia.

The above described property is also the same property conveyed from Richard Landon Blevins and Wife, Sherry R. Blevins, to Richard Landon Blevins in deed dated July 27, 2011, recorded in Deed Book 540, Page 342, Grayson County Clerk of Circuit Court's Office, Virginia.

This conveyance is made subject to easements, conditions and restrictions of record insofar as they may lawfully affect the Property.

Witness the following signature (s) and seal (s):

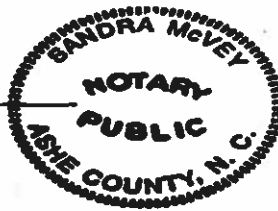
Kimberly M. Richardson (SEAL)
KIMBERLY M. RICHARDSON

STATE OF North Carolina
COUNTY OF Ashe

The foregoing instrument was acknowledged before me this 11th day of January 2013, by KIMBERLY M. RICHARDSON.

Sandra McVey
NOTARY PUBLIC

My commission expires: 10-4-2014



DELIVERED
APR 04 2013
Richard Blevins

INSTRUMENT #13000667
RECORDED IN THE CLERK'S OFFICE OF
GRAYSON ON
APRIL 4, 2013 AT 03:15PM
SUSAN M. HERRINGTON, CLERK
RECORDED BY: EBO

Blue Ridge Ventures LLC
28+ Acres
RICHARD L. BLEVINS ESTATE
TAX MAP NO. 62-A-78E
DEED BK.640 PG.342

④
EVA B. BLEVINS
DEED BK.553 PG.425
TAX MAP NO.02-A-78D



CERTIFICATE OF OWNERSHIP AND DEDICATION

THE SIGNATORY OWNER(S), HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF DIVISION OR SUBDIVISION WITH OUR FREE CONSENT, ESTABLISHING THE MINIMUM BUILDING RESTRICTION LINES AND DEDICATING ALL STREETS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

Kimberly Richardson 2-5-24
OWNER DATE OF EXECUTION
Danie Shaw 2-5-24
OWNER DATE OF EXECUTION

NOTARY STATEMENT

STATE OF VA TO WT:
COUNTY OF Grayson

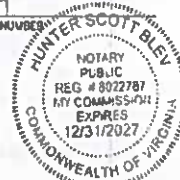
I, Hunter Blanks, a NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, DO HEREBY CERTIFY THAT Danie Shaw and Kimberly Richardson WHOSE NAME(S) IS (ARE) SIGNED TO THE FOREGOING STATEMENT, PERSONALLY APPEARED BEFORE ME IN MY STATE AND COUNTY AND ACKNOWLEDGED THE SAME.

MY COMMISSION EXPIRES 12/31/27

GRV UNDER MY HAND BY Blanks Hunter Blanks 10/24

Hunter Blanks
NOTARY PUBLIC

8022787
REGISTRATION NUMBER



④
EVA B. BLEVINS
DEED BK.553 PG.425
TAX MAP NO.02-A-78D

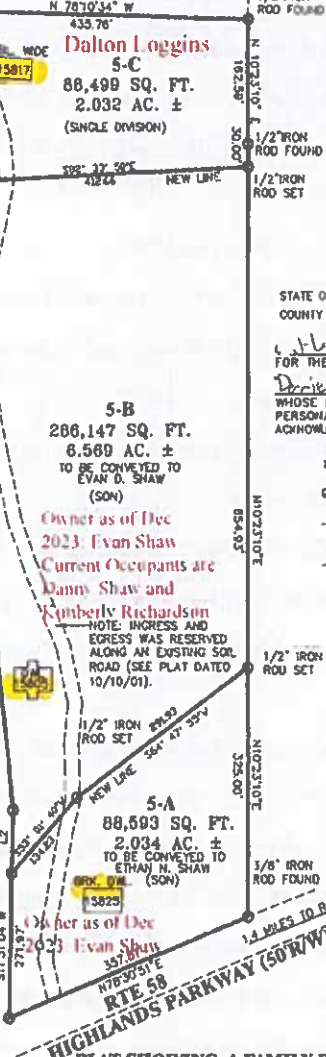
⑥
KATHLEEN PENNINGTON
DEED BK.186 PG.461
TAX MAP NO.02-A-78F

⑥
GARY A. PENNINGTON
DEED BK.424 PG.39
TAX MAP NO.02-A-111B

VIRGINIA, Grayson County, to-wit: In the office of the Clerk of the Circuit Court, this 16th day of February, 2024, this plat was presented and with the certificate annexed admitted to record as: 1024-A-24

TESTE,
Dana H. Hensley
CLERK

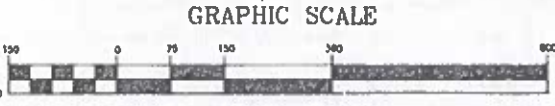
⑥
KATHLEEN PENNINGTON
DEED BK.186 PG.461
TAX MAP NO.02-A-111



LINE TABLE

LINE	LENGTH	BEARING
L1	97.66	S04°27'28"W
L2	82.23'	S11°31'04"W

PLAT SHOWING A FAMILY DIVISION AND A SINGLE DIVISION OF THE KIMBERLY M. RICHARDSON AND DANNY SHAW LANDS BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN THE WILSON MAGISTERIAL DISTRICT OF GRAYSON COUNTY, VA. AND MORE PARTICULARLY DESIGNATED AS LOT NO. 5 OF A DIVISION OF THE W.P. RUPARD LANDS AND RECORDED AS MAP 480, DEEDS RECORDED IN DEED BOOK 611 PAGE 968. SEE ALSO A PLAT BY LK ADDISON RECORDED IN DEED BOOK 540 PAGE 344. PROPERTY ADDRESS: 15805, 15817 AND 15825 HIGHLANDS PARKWAY WHITETOP, VA.



REVIEWED AND APPROVED BY THE GRAYSON COUNTY ZONING ADMINISTRATOR
[Signature]

I HEREBY CERTIFY THAT THIS PLAT IS BASED ON A CURRENT FIELD SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND LANDSCAPE ARCHITECTS. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT INDICATE ALL ENCUMBRANCES WHICH MAY EXIST ON THE PROPERTY. I CERTIFY THAT THIS PLAT IS AN ACTUAL OF THE GROUND SURVEY AND THERE ARE NO ENCUMBRANCES OR ENCROACHMENTS VISIBLE ON THE GROUND OTHER THAN SHOWN HEREON. THIS SURVEY IS SUBJECT TO ANY AND ALL CONDITIONS, COVENANTS, RESTRICTIONS, AND EASEMENTS OR RECORDED EASEMENTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH. NO COASTLINE FOUND. CALLS IN PARALLELS DENOTE PL. DEED OF RECORD.

[Signature]
L.K. ADDISON L.S. 1049

ZONED: R-R
TAX MAP NO. 62-A-111A

SCALE 1" = 150'

ADDISON SURVEYORS
LAND SURVEYING LAND PLANNING
CONSTRUCTION SURVEYING
431 EAST MAIN ST. ARLINGTON, VA 22204
(703)476-3001 (703)476-3198 FAX
E-MAIL: lka@addisonsurveyors.com

DRAWN BY: RBY	DATE: 11/22/23	DRAWING NO.: R-211-A
CHECKED BY: LKA	DATE: 11/22/23	JOB NO.: 06002023-FAMILY-ADDIS
SHEET: 1 OF 1	BOOK NO.: NONE	FILE NO.: 060020_23

M-3021

Prepared by Kimberly L. Osborne (SOM) '66, P.O. Box 337, Galax, VA 24333

THIS SPECIAL COMMISSIONER'S DEED made this the 27th day of December, 2021, by and between Kimberly L. OSBORNE, SPECIAL COMMISSIONER and Kendall O. CLAY, SPECIAL COMMISSIONER, the herein described Grantors, parties of the first part; and BLUE RIDGE VENTURES, L.L.C, a Virginia limited liability company, the herein described Grantee, party of the second part, whose address is 1467A Highlands Pkwy White-top VA 24292

WITNESSETH:

WHEREAS, by decree entered by the Circuit Court of the County of Grayson, Virginia, on October 23, 2020, in the cause of Kayla D. Powers, et. als. vs. Gary Pennington, et. als., Case No. CL118-50, Kimberly L. Osborne and Kendall O. Clay were appointed special commissioners for the purpose of selling the hereinafter described real estate of which Kathleen Pennington died seized and possessed; and

WHEREAS, the Special Commissioner entered into and executed bond, with surety, in the sum and penalty amount of Two Hundred Ten Thousand Dollars and No Cents (\$210,000.00) for the faithful performance of their duties as Special Commissioners, as required by the aforesaid Decree; and

WHEREAS, said Special Commissioner did hire a reputable auction company, C & F Auction, in accordance with the aforesaid Decree, who advertised and sold the real estate involved in this suit at auction; and the highest bidder being Diana Goodwin for the total amount of \$115,600.00, who directed that her interest be assigned to Blue Ridge Ventures, LLC, and that the sales price be allocated between the two tracts of real estate owned and sold by the estate.

WHEREAS, by decree entered by the Court on December 10, 2021, recorded in Civil File CL118-50, the offer of Diana Goodwin for the real estate was accepted, approved, ratified and confirmed by the Circuit Court of Grayson County, and the Special Commissioners were ordered, upon the receipt of the balance of the purchase price of Ninety-Eight Thousand Two Hundred Sixty Dollars and No Cents (\$98260.00) for the tract described herein, to convey the real estate by good and sufficient deed with Special Warranty of Title to Diana Goodwin, who directed the deed be in the name of Blue Ridge Ventures, L.L.C, a Virginia limited liability company, of which she is a member; and

Prepared by Kimberly L. Osborne, 13841766, P.O. Box 227, Galax, VA 24333

WHEREAS, Blue Ridge Ventures, L.L.C. has paid in cash the purchase price in the amount of Ninety-Eight Thousand Two Hundred Sixty Dollars and No Cents (\$98260.00); and

WHEREAS, the persons on whose behalf this conveyance is made are Kayla D. Powers, Andrea Q. Byrd, Pearsen D. Powers, Michael R. Finley, Gary Pennington, Jonathon Pennington, Maranda Pennington and Malena Pennington Milsaps.

THEREFORE, in consideration of the sum of Ninety-Eight Thousand Two Hundred Sixty Dollars and No Cents (\$98260.00), the receipt of which is hereby acknowledged, the Grantors do hereby grant unto the Grantee in THE SIMPLE, with SPECIAL WARRANTY, all the following described real estate lying and being in the WILSON MAGISTERIAL DISTRICT, GRAYSON COUNTY, VIRGINIA, and more particularly described as TAX MAP ID #62-A-78F and as follows:

Being Tract No. 2, containing 32.192 acres, more or less, on a plat of survey by Justin R. Funk, L.S., dated September 20, 2021, Job No. S192D, a copy of which is recorded in the Clerk's Office of the Circuit Court of Grayson County, Virginia, in Map _____ and which plat of survey is incorporated herein.

This is a portion of the same property conveyed T. A. Pennington and Kathleen Pennington, as tenants by the entirety with the right of survivorship, by T. A. Pennington and Kathleen Pennington by deed dated August 17, 1981, and of record in the Office of the Clerk of the Circuit Court of Grayson County, Virginia, in Deed Book 186, Page 461; reference to the foregoing is hereby made for a more complete description of, and chain of title to, the property herein conveyed.

By way of explanation T. A. Pennington died intestate on January 4, 2017, survived by his wife, Kathleen Pennington. By way of further explanation, Kathleen Pennington died intestate on July 27, 2017, survived by her children, Angela Finley, Gary Allan Pennington and Jonathan Necho Pennington, and by Maranda Pennington and Malena Pennington Milsaps, children of a son Billy Pennington who predeceased his mother, Kathleen Pennington. Angela Finley died intestate on September 15, 2021, survived by her children, Kayla D. Powers, Andrea Q. Byrd, Pearsen D. Powers and Michael R. Finley

This property is conveyed subject to easements and restrictions of record in the aforesaid Clerk's Office. Further, there are conveyed with this property all the legal and equitable appurtenances thereto.

The parties agree that the current year's real estate taxes due to Grayson County will be prorated as of the date of settlement.

WITNESS the following signatures and seals, as of the date herein above declared.

 (SEAL)
Kimberly L. Osborne, Special Commissioner

 (SEAL)
Kendall O. Clay, Special Commissioner

Prepared by Kimberly L. Osborne, ES8941766, P.O. Box 737, Galax, VA 21833

STATE OF VIRGINIA

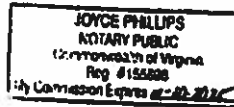
To-wit:

CITY/COUNTY OF Redford

This is to certify that Kimberly L. Osborne, Special Commissioner, whose name is signed to the deed dated December 27, 2021, did personally appear before me on the 25 day of December, 2021, and acknowledge her signature to that instrument
My Commission expires: 6-30-2025

Joyce Phillips
NOTARY SEAL
Registration No. 155858

Notary Public



STATE OF VIRGINIA

To-wit:

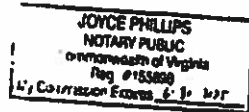
CITY/COUNTY OF Redford

This is to certify that Kendall O. Clay, Special Commissioner, whose name is signed to the deed dated December 27, 2021, did personally appear before me on the 25 day of December, 2021, and acknowledge his signature to that instrument
My Commission expires: 6-30-2025

NOTARY SEAL

Joyce Phillips
Notary Public

Registration No. 155858



Hwy 58

lands PARKWAY

①

4.117 ACRES

02-A-111

N 87°49'39"W 503.76'

21.00
21.00
21.00
21.00

OUT
Gary A. Pennington
Mekia L. Pennington
DB 424, PG 38
02-A-111B

S 87°52'32"E 498.29'

WHITETOP CAMP SECTION I

62-A-F

UP TO 10 DISPERSED PRIMITIVE CAMPSITES IN SECTION I

Creek

30' R/W

DB 424, PG 38

N 11°20'43"E 272.30'

Existing 1 Pin

N 04°33'22"E 36.00'

Existing 1 Pin In Order

30' R/W

DB 424, PG 38

Existing 1 Pin

N 04°33'22"E 181.00'

Existing 1 Pin

Existing 1 Pin

S 06°10'52"W 181.00'

Existing 1 Pin

DEMAND LETTER

DATE OF DEMAND: MARCH 31, 2024

TO: DALTON LOGGINS

**FROM: BLUE RIDGE VENTURES, LLC
DIANA GOODWIN, MANAGER**

RE: OBSTRUCTION BY YOU OF THE 40' DEEDED RIGHT OF WAY LEADING TO PROPERTY OWNED BY BLUE RIDGE VENTURES, LLC, TAX MAP #62-A-78E

HISTORY:

You are aware that Blue Ridge Ventures, LLC holds a deeded 40' right of way through your property. The right of way is well documented and is recorded at the Grayson County Courthouse. You are in possession of documents showing and stating the placement and existence of the right of way. Your attorney verified the existence of the right of way with you. You knew of the existence of the right of way prior to closing on the purchase of your property from Danny Shaw and Kimberly Richardson in December 2023.

Beginning in at least early October 2023, shortly after Blue Ridge Ventures, LLC purchased its above noted parcel but while you were still renting your property from Shaw/Richardson, you began placing obstructions in the right of way. You and I subsequently discussed, multiple times, in person and via text, that you do not have the right to obstruct to any degree the 40' right of way leading from Highlands Parkway to the parcel owned by Blue Ridge Ventures, LLC.

COMPLAINT:

You continue to obstruct the 40' right of way in varying manners daily, including by parking your vehicles in the right of way, accumulating and burning debris in the right of way, and by leaving items including a shovel, a propane torch and propane canister, a large bin of some type, and other items in the right of way.

DEMAND:

That you immediately remove any obstructions you have placed in the right of way, that you desist from obstructing the 40' right of way in any manner from this day forward, and that you not allow others living or visiting upon your property to place any obstructions in the right of way. Failure to comply with this demand will result in legal action being taken against you and a request to the court for reimbursement of legal fees, damages, and any other costs allowed by the court.

Diana Goodwin
Manager
Blue Ridge Ventures, LLC
BRVContactUs@gmail.com

FEDERAL GOVERNMENT

DEPARTMENT OF JUSTICE

ATTORNEY GENERAL

UNITED STATES OF AMERICA

IN RE: [Illegible Case Name]

[Illegible]

[Illegible text block]

[Illegible text block]

[Illegible]

[Illegible text block]

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[Illegible]

[Illegible]

[Illegible]

Jada Black

From: Diana Goodwin <goodwindianak2@gmail.com>
Sent: Monday, May 6, 2024 9:21 AM
To: Jada Black
Subject: Re: RECALL EMAIL

Part two: as far as Loggins, until the legal matter is settled, I won't have folks going down The right of way. I don't plan on advertising section 2 for use until this is settled, but I want to leave it on the site plan.

Diana Goodwin M.A, CCC-SLP
Speech and Language Pathologist

Realtor
Licensed in VA
Angela Brown & Associates Real Estate

Contact Information:
Email (best contact): goodwindianak2@gmail.com
Cell: 919-612-6550

Angela Brown & Associates Real Estate:
234 West Main Street
PO Box 591
Independence, VA 24348
office: 276-773-2256
fax: 276-773-2258

On May 6, 2024, at 9:14 AM, Jada Black <jblack@graysoncountyva.gov> wrote:

Diana,

After further consideration and discussions with VDOT and VDH and based on the current developments and the failure to advertise the parcels appropriately in accordance with state code, I feel it necessary to remove the application from the agenda. Without having the appropriate information for the PC to consider, I would have no choice but to recommend to the PC to table the matter until all the permanent details are in place.

Before we can proceed again, you will need to submit a new application with a site plan, revisit the application process with VDH, and contact VDOT to resolve the sight distance issues and receive the low-volume commercial entrance permit.

I'm sorry this hasn't worked out. Hopefully, you can have something in place by next month's meeting. I will need the complete package by May 29th. If you plan to use the other parcel behind

Mr. Loggins, we may need to wait until after you and your attorney can address the issues with the courts.

Jada C. Black

Grayson County Director of Planning and Zoning
Erosion & Sediment Control Program Administrator
Permit Technician
P.O. Box 217
Independence, VA 24348
Phone: 276-773-2000
Fax: 276-773-0305
jblack@graysoncountyva.gov

"To improve is to change; to be perfect is to change often" – Winston Churchill



From: Diana Goodwin <goodwindianak2@gmail.com>
Sent: Monday, May 6, 2024 8:17 AM
To: Jada Black <jblack@graysoncountyva.gov>
Subject: Campground

Good morning. What if anything can I change about the site plan at this point? I'm going to have to take Dalton Loggins to court over access to my property that I call Section 2 on the site plan. My attorney says we won't be able to get a court date till sometime later in June, if even then.

What I would like to do, if possible at this late time, is use parcel 62 – a – 111 as my primitive camping that will allow up to 10 sites (takes the place of the current Section I), and let the current Section I take the place of the current Section II, which would allow for five primitive camping sites. If it is too late to make this change, and I could have the paperwork into you sometime after lunch today, then I will just have to leave it as is.

Diana Goodwin M.A, CCC-SLP
Speech and Language Pathologist

Realtor
Licensed in VA
Angela Brown & Associates Real Estate

Contact Information:
Email (best contact): goodwindianak2@gmail.com
Cell: 919-612-6550

Angela Brown & Associates Real Estate:
234 West Main Street

Jada Black

From: Diana Goodwin <goodwindianak2@gmail.com>
Sent: Monday, May 6, 2024 9:17 AM
To: Jada Black
Subject: Re: Campground

I'm actually on my way to Fries but I don't think I have time to stop in independence before my appointment in Fries. I have everything I need with me to create revisions, I can take care of that after I am done in Fries. As far as I Jason property owner notifications, Who gets a letter, nothing should change. I would have to talk to Sara or Cassandra but I think it's just a matter of getting a revised plan to them, the signage and Porta potty locations are the only thing that will change.

Nothing would change with the DOT.

Diana Goodwin M.A, CCC-SLP
Speech and Language Pathologist

Realtor
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Cell: 919-612-6550

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Independence, VA 24348
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fax: 276-773-2258

On May 6, 2024, at 8:32 AM, Jada Black <jblack@graysoncountyva.gov> wrote:

Diana,

I will need a revised SUP application and site plan by the end of the day today to get this on the agenda. Certified letters have already been mailed and advertisements in the paper have been sent it. Let me see if I can even amend the paper ad to reflect these changes. Please stand by...

Jada C. Black
Grayson County Director of Planning and Zoning
Erosion & Sediment Control Program Administrator
Permit Technician

P.O. Box 217
Independence, VA 24348
Phone: 276-773-2000
Fax: 276-773-0305
jblack@graysoncountyva.gov

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From: Diana Goodwin <goodwindianak2@gmail.com>
Sent: Monday, May 6, 2024 8:17 AM
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Diana Goodwin M.A, CCC-SLP
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office: 276-773-2256
fax: 276-773-2258

March 21, 2024

Dear Gary and Vickie,

This is your 30 day notice to remove or surrender your rustic wooden storage building that sits on Blue Ridge Venture LLCs' property, in front of your house by the driveway. If you have not removed it by April 20, 2024, it will be considered abandoned, along with its contents, and Blue Ridge Ventures LLC will take possession. The building may not be demolished while it sits on Blue Ridge Ventures LLCs' property.

Sincerely,

Diana Goodwin
Manager
Blue Ridge Ventures, LLC
PO Box 6
Whitetop, VA 24292
BRVContactUs@gmail.com

**Provided to PC at
Public Comment for
Review**

April 23, 2024

Vickie and Gary,

You allowed your contractor to trespass all across my property in the course of moving the shed and/or removing the old cement mixer. In the course of doing so, the equipment used gouged track marks into the wet ground including where water drains through to the creek, and knocked down and damaged some of the small trees in its path.

You no longer own the property nor any item on it, and haven't in several years. You do not have the right to trespass or cause others to trespass upon the property. You do not have the right to remove anything from the property without my express permission to do so. You did have permission to remove the shed. You did not have my permission to remove the old car last year nor the cement mixer the other day.

Do not come on any of my property nor remove anything from it without my permission; this should go without saying, but apparently not.

Diana Goodwin

**Provided to PC at
Public Comment for
Review**

Addendum:

Utility-Scale Renewable Energy Facilities Policies

Utility-Scale Renewable Energy Facilities

Nationally, the United States has seen a dramatic increase in renewably generated energy in the last few decades. With respect to solar, since 2010 installed solar photovoltaic capacity has grown from about two gigawatts (GW) to approximately 130 GW at the end of the first half of 2022. For wind generated energy over this same period there has been an increase from 40 GW to 144 GW. These increases are due to many factors:

1. The cost of solar energy facility technology has decreased dramatically (80%) since 2010;
2. Growing demand for renewably generated energy from the private sector;
3. Instability in the availability and costs of traditional fossil fuels due to geopolitical conditions;
4. State policies and incentives to achieve carbon emissions goals and to reduce reliance upon fossil fuels; and
5. Economic and financial opportunity for landowners, especially farmers.

For solar, the growth in solar energy generation capacity in Virginia has similarly increased, with installed solar capacity increasing from 17 megawatts (MW) in 2014, to 470 MW in 2020, and further increases, along with increases in wind energy generation, are supported by State policies and regulations. The Commonwealth's 2018 Virginia Energy Plan called for targets of 3,000 MW of solar plus onshore wind capacity to be deployed by 2022, and 5,500 MW by 2028. Anticipated capacities were increased by the adoption of the 2020 Clean Energy Act requiring Dominion Energy Virginia and American Electric Power (aka Appalachian Power) to produce 100 percent (100%) of their electricity from renewable sources by 2045 and 2050, respectively, based upon an aggregate capacity of 16,100 MW of solar and onshore wind declared to be "in the public interest." As a result, potential interest in both solar and wind energy generation facilities has increased within the State, and specifically for wind, especially in localities that may have the wind resources to support the development of utility-scale facilities.

With large amounts of affordable and undeveloped land, and existing and upgraded electric transmission infrastructure, interest in the construction of utility-scale solar and wind in the County has and will likely increase in response to Virginia's directive to the two principal utility companies operating in the state to transition to renewable energy sources. More akin in form to industrial development than traditional agricultural uses historically seen in more rural areas of the County, it will be necessary to consider the appropriateness of these uses, along with the size, scale, design, and siting of these uses if allowed to ensure that they are compatible with existing residential and commercial uses, and do not negatively impact the County's agricultural, environmental, and recreational resources.



General Land Use Strategies for Renewable Energy

With regard to the broad consideration of renewable energy, the County has enacted the following general land use strategies:

- Discourage inappropriate development and land uses that may have detrimental impacts to prime farmland, rich natural habitats and resources, and the County's outdoor recreational resources.
- Balance the opportunities and the impacts of the future of renewable energy, and specifically utility-scale solar.
- At this time, utility-scale wind facilities are not considered to be an appropriate land use in the County given their potential impacts on adjacent and nearby uses, the County's natural resources and important viewsheds, and shall therefore be prohibited.
- Explore agreements for compatible projects that can assist with the deployment of broadband and other county services.
- The potential development of residential, commercial, industrial, and solar and wind developments in rural areas must be carefully planned to avoid loss of open space and important natural resources.
- Consistent with the requirements of § 15.2-2288.7., Local regulation of solar facilities., of the Code of Virginia, the County allows roof-mounted, as well as ground-mounted solar installations as accessory uses; this tool is important in helping facilitate sustainable, environmentally friendly development.

Utility-Scale Solar Facilities

Utility-scale solar projects can create a large footprint on the landscape and do not directly contribute to the local economy or provide jobs for the community over the long-term in a way that a comparably sized manufacturing or commercial facility would. But it can be argued that these projects do contribute to the power grid and may reduce overall rates and can be designed for minimal visual and environmental impact. Certainly, property purchase and lease payments to property owners have been seen to meet and supplement, if not surpass, revenues from agricultural and forestry activities, and increased tax revenues from projects can be used to address public funding gaps and cost increases, deferred maintenance of infrastructure or facilities, or fund other projects or expansion of services in the community that may contribute to the overall quality of life.

Future Land Use Considerations

The County will consider utility-scale solar facilities, through the review of a Special Use Permit, in the Rural Farm (RF) and Industrial (IND) zoning districts only. In addition to the regulations and standards for utility-scale solar facilities within the Zoning Ordinance (See Map 14.1 Utility-Scale Solar Siting Considerations), and requirements and standards applicable to the consideration of all Special Use Permits as outlined in Article 5 of the Zoning Ordinance, Special Use Permit applications for utility-scale solar facilities must be evaluated based upon the



following criteria. Conditions may be imposed upon individual Special Use Permits to ensure consistency with these criteria, compliance with regulations and standards contained in the Zoning Ordinance, and/or to mitigate potential or anticipated negative impacts associated with the design or location of a facility; individual Special Use Permit applications may be denied where one or more of these criteria cannot be met, outright or through the imposition of conditions.

1. Active components (i.e., solar panels, substations, inverters, and the like) or developed features (i.e., fences, gates, maintenance/operations buildings, etc.) of utility-scaled solar facilities shall not be in such close proximity to, in their location or design, the following so as to negatively impact their use, value, or importance individually or to the County:
 - a. residences;
 - b. historic, cultural, recreational, and environmentally sensitive areas and resources; and
 - c. scenic view-sheds and vistas.
2. Facilities, including fencing and support equipment, should be significantly screened from the ground-level view of adjacent properties and rights-of-way by a buffer zone at least 150 feet wide that shall consist of natural vegetation and landforms and/or be landscaped with plant materials consisting of an evergreen and deciduous mix at least six feet in height at the time of planting. Landscaping materials should be native to the County and exclude the use of invasive species. Additional screening and/or setbacks may be proposed or required to mitigate for the potential impacts of a project owing to the location or design.
3. Scenic view-sheds and vistas are important recreational and economic resources for the County, and the location and design of facilities should not detract from the existing value, aesthetics, or rural character of view-sheds or vistas.
4. A minimum distance of two miles should be provided between utility-scale solar energy facilities.
5. Solar panels included as part of the same facility should be required to be sited on contiguous parcels to limit fragmentation and preserve rural character.
6. The area of solar panel coverage for any single solar facility project may not exceed 65 percent of the total acreage of the project.
7. Facilities should avoid development of areas of Forest Conservation Values or Ecological Cores rated high to outstanding as defined by the Virginia Department of Conservation and Recreation and/or another equivalent state department.



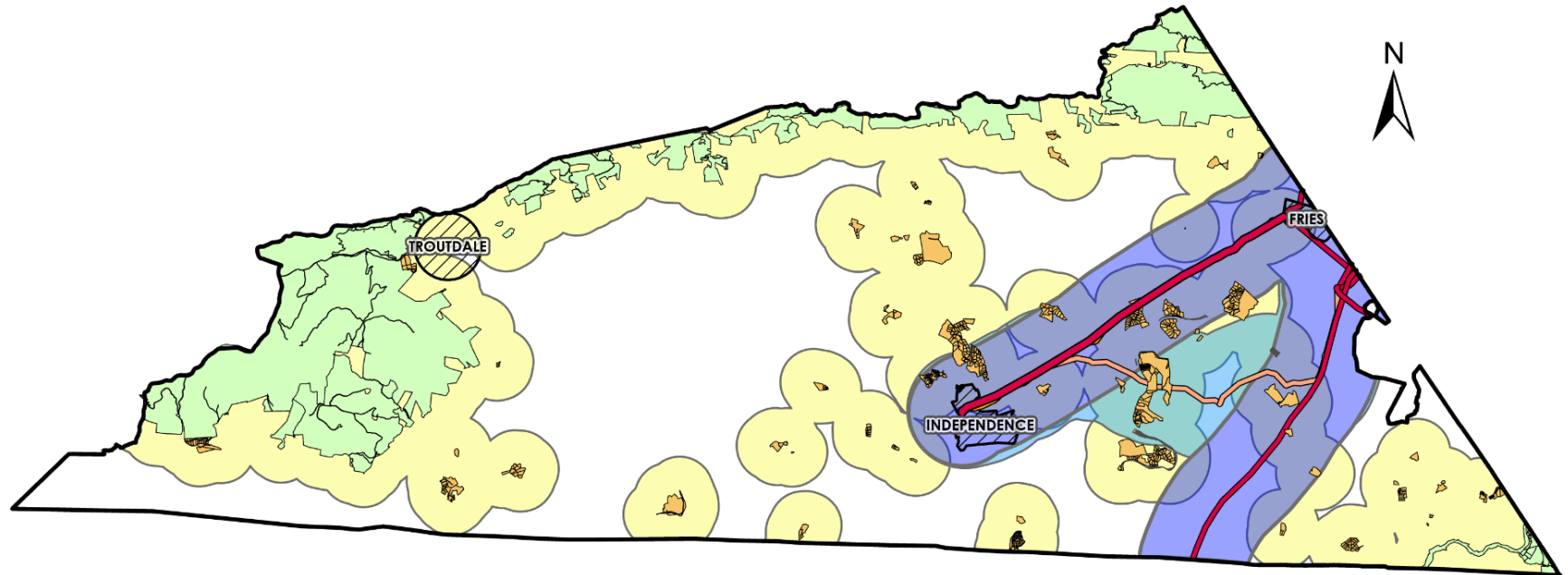
8. Facilities should avoid development of areas identified as Class III, Class IV, or Class V for agricultural suitability as defined by the Virginia Department of Conservation and Recreation Agricultural Model and/or areas actively farmed within two years preceding an application, unless portions of the parcels utilized for the facility will continue to be farmed.
9. Wildlife corridors should be incorporated in the design of facilities and the latest guidance of state environmental departments should be considered; for instance, the Virginia Department of Wildlife Resources has Solar Energy Facility Guidance which includes recommendations for wildlife passages and fencing.
10. Facilities should be located a minimum distance of 1 mile from any Town or City boundary, or from properties in the Rural Residence (RR), Highland/Recreation-Public (HR-P), or Shoreline Recreation (SR) zoning districts.
11. Facilities planned for transmission line interconnection, as opposed to those to be connected into the local distribution network, should be located within 2 miles of transmission line corridors. Any generation lead lines (gen-tie) lines should be located underground or buffered to block visibility from roadways.
12. Facilities should provide maximum economic benefits to the County as demonstrated by thorough economic analysis.

Utility-Scale Wind Facilities






While Grayson County does not currently have any large- or utility-scale wind energy facilities, there is interest in siting facilities within the County given the potential viability based upon wind resources. Similar to utility-scale solar facilities, utility-scale wind facilities can have a significant impact on the landscape, however, different from solar, this is due to the height and number of turbines, as well as elevated siting needs, all of which combine to increase their visibility. Based upon these potential impacts, utility-scale wind facilities are not considered to be an appropriate land use in the County and should therefore be prohibited.








Map 14.1 Utility-Scale Solar Siting Considerations

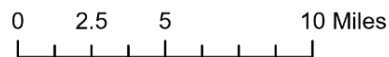


Municipal Boundaries and Zoning

-  Grayson County
-  Town and City Boundaries
-  Highland Recreation Public
-  Rural Residential
-  Shoreline Recreational

Grayson County Solar Facility Development Guidelines

-  Transmission Lines
-  Proposed Transmission Line Extension
-  Transmission Line 2 Mile Buffer
-  Proposed Transmission Line Extension 2 Mile Buffer
-  Municipal Boundaries and Zoning 1 Mile Buffer



Grayson County

Grayson County
Board of Supervisors



Commonwealth
of Virginia

ORDINANCE

TO AMEND THE ZONING ORDINANCE OF GRAYSON COUNTY, VIRGINIA ZONING FOR THE REGULATION OF SOLAR ENERGY AND WIND ENERGY GENERATING FACILITIES, ALONG WITH OTHER AMENDMENTS FOR RENEWABLE ENERGY USES TO CLARIFY THEIR REGULATION, AND TO UPDATE PROCEDURES RELATED TO THE CONSIDERATION OF SPECIAL USE PERMITS

ARTICLE I. Purpose(s) and Authority.

WHEREAS, section 15.2-2204 *et.seq.* of the Code of Virginia (1950, as amended) established that any locality may, by ordinance, establish regulations on zoning and planning; and

WHEREAS, the Grayson County Board of Supervisors have determined that it is in the best interest of public health, safety, and general welfare to amend and update regulations related to renewable energy uses, and specifically solar energy and wind energy generating facilities; and

WHEREAS, the Grayson County Board of Supervisors have determined that utility-scale wind facilities are not considered to be an appropriate land use in the County given their potential impacts on adjacent and nearby uses, the County's natural resources and important viewsheds, and shall be prohibited; and

WHEREAS, the Grayson County Board of Supervisors have further determined that is in the best interest of public health, safety, and general welfare to update procedures related to the consideration of special use permits; and

WHEREAS, the Grayson County Planning Commission held a public hearing and recommended passage of this Ordinance on May 21, 2024; and

WHEREAS, the Board of Supervisors of the County of Grayson, Virginia, held a public hearing on this Ordinance.

ARTICLE II. Construction.

For the purposes of this ordinance amendment, underlined works (underline) shall be considered as additions to the existing Zoning Ordinance language and strikethrough words (strikethrough) shall be considered deletions to existing language. Any portions of the adopted Zoning Ordinance which are not repeated herein but are instead replaced by an ellipses (“...”) shall remain as they currently exist with the Zoning Ordinance.

ARTICLE III. Amendment of the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Grayson County, Virginia, after public notice, public hearing, and consideration of the best interests of the public health, safety, and welfare, that the Zoning Ordinance of Grayson County, Virginia, shall be amended, as follows:

PART I. That **Article 2, Definitions, of the Zoning Ordinance**, be amended by adding the following terms and definitions, inserted therein in customary alphabetical order with numbering and renumbering of sections as necessary:

Brownfield: A former industrial or commercial site typically containing low levels of environmental pollution such as hazardous waste or industrial byproducts.

Solar Energy Generating Facility (Solar Facility): Solar energy generating devices, inverters, a substation, ancillary equipment, buildings, security fencing, access roads, setbacks, and screening on the site. Solar energy generating devices utilize sunlight as an energy source to heat or cool buildings, heat or cool water, or produce mechanical power by means of any combination of collecting, transferring, or converting solar generated energy. The term applies to, but is not limited to, solar photovoltaic systems, solar thermal systems, and solar hot water systems. The following words, terms and phrases pertaining to solar energy generating facilities, when used in the Grayson County Zoning Ordinance or in the administration thereof, shall have the following meanings ascribed to them:

Accessory Solar Facility: A solar facility comprised of photovoltaics attached to and/or incorporated into building components and/or materials for structures, such as roofs or shingles, along with supporting equipment, the facility being an accessory use to the principal use of the property and not exceeding 50 kW. Such facilities may be ground-mounted. Supporting equipment commonly includes panels, racking, inverters, performance monitoring, grid connection, and energy storage systems.

Large-Scale Solar Energy Facility: A ground-mounted solar facility that generates electricity from sunlight on an area adequate to support a rated capacity of one megawatt (MW) alternating current or greater.

Operator: The company or individual responsible for the overall operation and management of the solar facility.

Owner: The company or person who owns all or a portion of a solar facility.

Participating landowner: A person who owns real property under lease or other property agreement with the owner or operator of a solar facility.

Photovoltaic (PV): Materials and devices that absorb sunlight and convert it directly into electricity.

Project; Project Area: These terms, when used in the context of identifying the limits or area of a facility, or the distance or separation of a facility or its components from other features, shall refer to the entirety of one or more parcels or leased portions of parcels upon which a facility is proposed to be sited.

Rated capacity: The maximum capacity of a solar facility based on the sum total of each photovoltaic system's nameplate capacity.

Small-Scale Solar Energy Facility: A ground-mounted solar facility that generates electricity from sunlight on an area adequate to support a rated capacity of one megawatt (1 MW) alternating current or less.

Viewshed: The view of an area from a specific vantage point. It includes all surrounding points that are in line of sight with that location.

Wind Energy Generating Facility (Wind Facility): A facility or project that generates electricity from wind and consists of one (1) or more wind turbines and may include other accessory structures and buildings, including substations, post-construction meteorological towers, electrical infrastructure, and other appurtenant structures and facilities within the boundaries of the site. This includes, but is not limited to, transmission, storage, collection and supply equipment, substations, transformers, service and access roads, and one or more wind turbines. The following words, terms and phrases pertaining to wind energy generating facilities, when used in the Grayson County Zoning Ordinance or in the administration thereof, shall have the following meanings ascribed to them:

Accessory Wind Facility: A wind facility comprised of a tower and wind turbine that has a wind turbine height less than one hundred (100) feet and a rated capacity less than 100KW, along with supporting equipment, the facility being an accessory use to the principal use of the property. Supporting equipment commonly includes turbines, towers, controllers, inverters, grounding systems, foundations, and energy storage systems.

Rated capacity: The maximum capacity of a wind facility based on the sum total of each turbine's nameplate capacity, which is typically specified by the manufacturer with a label on the turbine equipment.

Temporary meteorological tower (MET) or wind monitoring tower: A free-standing tower equipped with instrumentation, such as anemometers, designed

to provide real-time data pertaining to wind speed and direction, and used to assess the wind resources at a particular site.

Tower: Towers include vertical structures that support the electrical generator, rotor blades, or meteorological equipment. This includes a structure on which a wind turbine is mounted, or on which anemometers and other instrumentation are mounted in the case of MET towers.

Utility-Scale Wind Energy System: A wind facility with a rated capacity of one (1) megawatt (MW) or greater that generates electricity from wind, and consists of one (1) or more wind turbines and other accessory structures and buildings, including substations, post-construction meteorological towers, electrical infrastructure, and other appurtenant structures and facilities within the boundaries of the site. Two (2) or more wind turbines otherwise spatially separated but under common ownership or operational control, which are connected to the electrical grid under a single interconnection agreement, shall be considered a single utility-scale wind energy project.

Wind turbine: A device that converts wind energy into electricity through the use of a wind turbine generator. A wind turbine typically consists of a tower, nacelle, rotor, blades, controller and associated mechanical and electrical conversion components.

Wind turbine height: The vertical height of a wind turbine as measured from the existing grade to the highest vertical point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation.

PART II. That **Article 3, General Requirements for All Zone Districts, Section 3-14, of the Zoning Ordinance**, be amended as follows:

3-14 Renewable Energy Infrastructure. Includes Wind Energy Generating Facilities, Hydropower Systems, Solar Energy Generating Facilities, Solar Thermal Systems, and Combustion units.

The purpose of this section is to provide guidance, regulations, and standards on zoning requirements as it relates to renewable energy infrastructure in the unincorporated areas of Grayson County. Renewable Energy Infrastructure is allowed ~~in all zone districts~~ in accordance with the standards set forth in this ~~article Section~~. Unless stated otherwise, structures associated with renewable energy infrastructure require a zoning permit.

~~**Wind Turbines/Towers.** Wind turbines/towers under 100 feet in height (measured from the adjacent grade to the uppermost portion of the turbine are allowed in all zone districts with a zoning permit. Wind turbines and/or the collection of wind turbines that have rated capacity of less than 100 KW is allowed in all zone districts. Proposed towers of a greater height (over 100 ft.) and/or towers that are proposed to be luminated shall require a Special Use Permit. Permitted towers shall be located at a setback distance from any~~

adjacent property line and any public street, at the distance in feet that equals or exceeds the proposed height of the tower and wind turbine plus 25% of this distance.

~~**Solar Photovoltaic and Solar Thermal Systems.** Solar components proposed for existing roof or existing structures will not require a zoning permit. When solar is proposed for a stand-alone rack system or when a new structure is proposed, the structure or rack system will require a zoning permit and will follow the street and yard setbacks for the zone district. Solar photovoltaic and solar thermal systems with rated capacity of under 100KW or the equivalent is allowed in all zone districts. Utility scale solar power facilities will require a Special Use Permit. For the purpose of this Ordinance Utility Scale Solar are those systems with rated capacity of over 100 KW of electricity.~~

3-14.1 Hydropower Systems. Micro-hydro systems for personal use or business use are allowed in all zone districts and will not require a zoning permit. Utility and utility scale hydropower systems will require a Special Use Permit are permitted either by-right or subject to a Special Use Permit as specified within the applicable zoning districts in Article 4. For the purpose of this Ordinance Utility Scale Hydropower are those systems with rated capacity of over 100 KW of electricity. Landowners should reference state and/or federal requirements for use of the waterway when the use of the waterway is regulated by state or federal law.

3-14.2 Combustion Units. Combustion units that are located inside the principal building or those that are an accessory to a home or business are allowed in all zone districts permitted either by-right or subject to a Special Use Permit as specified within the applicable zoning districts in Article 4 when the fuel source is woody biomass, coal or agricultural in nature. Incineration units where the primary fuel is solid waste and/or other products other than woody biomass or agricultural and/or when the unit is designed for off-site, utility scale electrical generation or when proposed as part of a commercial based solid waste disposal unit, shall require a location in the Industrial District.

3-14.3 Solar Energy Generating Facilities

3-14.3.1 Applicability and Permitting. The requirements set forth in this Section shall govern the location, siting, development, construction, installation, operation and decommissioning of solar energy generating facilities in the County. Solar facilities are permitted either by-right or subject to a Special Use Permit as specified within the applicable zoning districts in Article 4. Regardless of whether uses are allowed by-right or only with a Special Use Permit, a Zoning Permit is required pursuant to Section 3-5.

3-14.3.2 Application Process. In addition to application materials required as outlined in subsection 3-14.3.3, Application Requirements, and procedural requirements as outlined in Section 5-11, Special Use Permit, all solar facilities for which a Special Use Permit is required shall be subject to the following procedural requirements:

3-14.3.2.1 Pre-Application Meeting. Prior to submission of a Special Use Permit application, a pre-application meeting shall be held with the Zoning Administrator to discuss the location, scale, and nature of the proposed use, what will be expected during that process, as well as the potential for a siting agreement, if applicable.

3-14.3.2.2 Third-Party Review. The County is authorized to hire an independent third-party consultant, and may choose to do so at their discretion, to review any Special Use Permit application and all associated documents for completeness and compliance with this section and any other state and federal codes. Any costs associated with the review shall be paid by the applicant. Any payment of such fees would in no way be a substitute of payment for any other application review fees otherwise required by the County.

3-14.3.2.3 Completeness/Compliance Review. Upon submission, the Zoning Administrator and/or a third-party reviewer shall review the application and determine whether it is complete (i.e., that all required application materials have been submitted) and compliant (i.e., that the application and proposed use meet all required regulations and standards). Based upon this review, the Zoning Administrator may determine that an application is incomplete and/or noncompliant and either reject the application or require the applicant to submit additional or revised application materials prior to proceeding to further review.

3-14.3.2.4 Neighborhood Meeting. Following application submission and at least 14 days prior to the review conducted pursuant to subsection 3-14.3.2.5, Comprehensive Plan Review, a public neighborhood meeting shall be held to give the community an opportunity to hear from the

applicant and to ask questions regarding the proposed application. The meeting shall adhere to the following requirements:

- a. The applicant shall inform the Zoning Administrator and adjacent property owners in writing of the date, time, and location of the meeting, at least 14 but no more than 21 days, in advance of the meeting date.
- b. The date, time and location of the meeting shall be advertised in a newspaper of record in the County by the applicant, at least 14 but no more than 21 days, in advance of the meeting date.
- c. The meeting shall be held within the County, at a location open to the public with adequate parking and seating facilities that will accommodate persons with disabilities.
- d. The meeting shall give members of the public the opportunity to review application materials, ask questions of the applicant, and provide feedback.
- e. The applicant shall provide the Planning Office/Department with a summary of any input received from members of the public at the meeting and copies of any written submissions from the public.

3-14.3.2.5 Comprehensive Plan Review. Pursuant to §15.2-2232., of the Code of Virginia, the Planning Commission shall consider, at a public meeting, whether the general or approximate location, character, and extent of the proposed solar facility is substantially in accord with the County's Comprehensive Plan or part thereof. The Planning Commission shall communicate its findings to the Board of Supervisors, indicating its approval or disapproval with written reasons therefor. The Board of Supervisors may overrule the action of the Planning Commission by a vote of a majority of its membership. Failure of the Planning Commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval. The owner or

owners or their agents may appeal the decision of the Planning Commission to the governing body within 10 days after the decision of the Planning Commission. The appeal shall be by written petition to the Board of Supervisors setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing. A majority vote of the Board of Supervisors shall overrule the commission.

In conducting this review, the Planning Commission may perform this review at a meeting separate from and preceding any public hearing on the Special Use Permit application. The Planning Commission may hold a public hearing as part of this review, and shall hold a public hearing if directed to do so by the Board of Supervisors.

3-14.3.2.6 Consideration of Special Use Permit by the Planning Commission and Board of Supervisors.

The Planning Commission and Board of Supervisors shall consider, review, and take action on Special Use Permit applications as specified by Section 5-11, Special Use Permit.

3-14.3.2.7 Siting Agreement. For Solar Energy Generating Facilities requiring a Special Use Permit, applicants shall enter into a siting agreement with the County, pursuant to and as authorized by Article 7.3, Siting of Solar Projects and Energy Storage Projects, of the Code of Virginia, unless this requirement is waived by the Board of Supervisors.

3-14.3.3 Application Requirements. In addition to application materials required pursuant to Section 5-11, Special Use Permit, all Special Use Permit applications for solar facilities for which a Special Use Permit is required shall include the following materials and information, to be furnished by the applicant with any costs in developing, procuring, or preparing such materials and information to be borne by the applicant:

3-14.3.3.1 Project Narrative. A detailed narrative identifying the applicant, facility owner, site owner, and operator, if known at the time of application, and describing the proposed energy facility, including

an overview of the project and its location; the project area and the area to be fenced; the current use of the site; the estimated time for construction, any phasing schedule, location of staging areas or off-site storage facilities, and proposed date for commencement of operations; the planned maximum rated capacity of the facility; the approximate number, representative types and expected footprint of equipment to be constructed, including the maximum number of photovoltaic panels; specifications for proposed equipment, including the manufacturer and model, materials, color and finish, and racking type for solar facilities; ancillary facilities; and how and where the electricity will be transmitted, including the location of the proposed electrical grid interconnection.

3-14.3.3.2 Concept Plan. A concept plan as a visual summary of the project. The concept plan shall be prepared by a professional, state-licensed engineer and shall include the following:

- a. Identification of subject parcels and property lines and/or leased portions of parcels and limits of leased areas, and fenced areas, along with areas in acreage and square feet;
- b. Identification of required setbacks;
- c. Existing and proposed buildings and structures, including identification of buildings, structures, or features to be removed or retained; preliminary locations, total area, and heights of proposed solar panels, ancillary equipment, and other proposed structures; the location of proposed fencing, driveways, internal roads, and structures; and the location of points of ingress/egress;
- d. The location and nature of proposed buffers and screening elements, including vegetative and constructed buffers, and existing landforms (i.e., natural berms, hills, rocky outcrops, etc.) intended to be used as a buffer or screening;
- e. Existing and proposed access roads, drives, turnout locations, and parking;
- f. Location of substations, electrical cabling from the facility to substations, ancillary

- equipment, buildings, and structures, including those within any applicable setback;
- g. Fencing or other methods of ensuring public safety;
 - h. Proposed lighting;
 - i. Aerial imagery showing the proposed location and boundaries of the facility, fenced areas, ingress/egress, and the closest distance to all adjacent property lines and buildings, noting their uses; and
 - j. Additional information may be required as determined by the Zoning Administrator, such as a scaled elevation view of the property and other supporting drawings, photographs of the proposed site, photo or other realistic simulations or modeling of the proposed project from potentially sensitive locations as deemed necessary by the Zoning Administrator to assess the visual impact of the project, landscaping and screening plan, coverage map, and additional information that may be necessary for a technical review of the proposal.

3-14.3.3.3 Grading Plan. A draft grading plan that limits grading to the greatest extent practicable. The Plan shall include:

- a. Existing and proposed contours;
- b. Locations and amount of topsoil to be stripped and stockpiled onsite (if any);
- c. Percent of the site to be graded;
- d. An earthwork balance achieved on-site with no import or export of soil; and
- e. Indicate natural flow patterns in drainage design and amount of impervious surface.

3-14.3.3.4 Landscape Plan. A draft landscape plan identifying:

- a. The location of existing vegetation and the limits of proposed clearing;
- b. All proposed ground cover, screening and buffering materials, landscaping, and elevations;
- c. Locations of wildlife corridors; and
- d. Landscape maintenance requirements.

3-14.3.3.5 Visual Impact Analysis. An analysis demonstrating project siting and proposed mitigation, if necessary, so that the proposed facility minimizes impacts on the visual character, viewsheds, and/or vistas of the County. At a minimum the visual impact analysis shall include accurate, to scale, photographic simulations showing the relationship of the facility and its associated equipment and development to its surroundings. The photographic simulations shall show such views of the facility from locations such as property lines, roadways, and/or scenic viewsheds/vistas as deemed necessary by the County in order to assess the visual impact of the facility. The total number of simulations and the perspectives from which they are prepared shall be established by the Zoning Administrator after the pre-application meeting. Visual representations shall be in color and shall include actual pre-construction photographs and accurate post-construction simulations of the height and breadth of the facility. All visual representations will include existing, as well as proposed buildings and tree coverage.

3-14.3.3.6 Community Impact Assessment. An assessment of the impact of the proposed facility on the immediate vicinity as well as the greater County. The assessment shall be prepared by one or more individuals or firms acting within their professional competency, shall be presented in written form, and shall analyze in specific terms the probable impact of the facility on the vicinity and community over time. Specific attention, as may be appropriate to the individual proposal, should be given but not be limited to the following elements:

- a. Consistency of the proposed facility with applicable policies contained in the County's Comprehensive Plan;
- b. Anticipated direct revenues to the county from real estate and personal property taxes;
- c. An assessment of employment opportunities to be created by the proposed development;
- d. An assessment of the short- and long-term economic impact of the proposed development;

- e. If the development is replacing an existing enterprise, including agriculture and forestry, an assessment of the impact the current enterprise has on the local economy and how the local economy will be impacted by the loss of the existing enterprise;
- f. Fire, rescue, and law enforcement requirements as compared to existing capacities and facilities;
- g. Sewer and stormwater management needs as compared to existing capacities and facilities to address:
 - i. Adequacy of existing utilities, water, sewer, public services, and public facilities in the vicinity of the development;
 - ii. Public and private improvements both offsite and onsite that are proposed for construction and a cost estimate for providing these improvements; and
 - iii. Other public and quasi-public facility and service impacts including refuse collection and disposal systems intended to serve the development.
- h. Socioeconomic changes and impacts to result from the proposed development;
- i. The costs in both capital and operating funds of providing services to the proposed development; and
- j. What efforts, if any, are proposed to mitigate the service demands or costs to the county.

The Zoning Administrator may waive certain elements of the impact assessment where the nature of the proposed facility makes such elements inapplicable.

3-14.3.3.7 Environmental Impact Assessment. An assessment of the impact of the proposed facility to include the following:

- a. A statement regarding any site and viewshed impacts, including direct and indirect impacts to national or state forests and grasslands, national or state parks, County parks, wildlife management areas, conservation easements, recreational areas, or any known historic or

cultural resources within 5 miles of the project parcels.; and

- b. An inventory of wetlands, rivers, streams, and floodplains, to be delineated and mapped, in order to provide baseline data for the evaluation of the current proposal and evaluation of the satisfactory decommissioning as required. The inventory and mapping of floodplain shall not be construed to allow development within regulatory flood plain areas without a flood plain development permit.

3-14.3.3.8 Traffic and Transportation Assessment. An assessment of the impact of the proposed facility, including construction processes, on traffic and transportation infrastructure, to include the following:

- a. The time of day that operations and construction transport activities will occur;
- b. A map showing the desired primary and secondary transportation routes for operations and construction traffic;
- c. Characteristics of operations and construction loaded vehicles, including:
 - i. Length, height, width, curb weight;
 - ii. Maximum load capacity;
 - iii. Number of axles, including trailers;
 - iv. Distance between axles and
 - v. Vehicle registration plates
- d. Haul route(s)

After review, the County may require a full traffic study to be accepted by an engineer approved by the County.

3-14.3.3.9 Decommissioning and Reclamation Plan. A draft decommissioning and reclamation plan certified by an engineer with a professional engineering license in the Commonwealth of Virginia, to include the following and demonstrating compliance with the requirements of Section 3-14.3.6.10, Decommissioning and Reclamation:

- a. The anticipated life of the project, along with the basis for determining the anticipated life of the project;
- b. The estimated decommissioning cost in current dollars;
- c. How said estimate was determined;
- d. The method of ensuring that funds will be available for decommissioning and restoration;
- e. The method that the decommissioning cost will be kept current;
- f. The manner in which the facility will be decommissioned and the site restored; and
- g. Anticipated plans for the disposal and/or recycling of project equipment and components, including the identification of disposal and/or recycling sites located in the County.

3-14.3.4 Minimum Development Standards for Solar Energy

Generating Facilities. The following minimum development standards shall apply to solar energy generating facilities, as stipulated:

3-14.3.4.1 Compliance with building codes and standards.

Solar facilities shall be designed and maintained in compliance with standards contained in applicable local, state and federal building codes and regulations that were in force at the time of the permit approval. Facilities subject to a Special Use Permit shall be constructed and maintained in substantial compliance with the approved Concept Plan.

3-14.3.4.2 Multiple uses. Small- and large-scale solar facilities may be located on parcels with other active agricultural, residential, commercial, or industrial uses.

3-14.3.4.3 Location, dimensional, and setback standards.

- a. Accessory solar facilities and small-scale solar facilities shall be subject to the applicable setbacks of the zoning district in which the facility is located.

- b. Large-scale solar facilities shall be subject to the following location, dimensional, and setback standards:
 - i. The maximum project area of a solar facility shall be 500 acres.
 - ii. The area of solar panel coverage for any single solar facility project may not exceed 65 percent of the total acreage of the project.
 - iii. Solar facilities shall not be located closer than 1 mile to any town or city boundaries, or from properties in the Rural Residence (RR), Highland/Recreation-Public (HR-P), or Shoreline Recreation (SR) zoning districts. The distance requirement from town or city boundaries may be reduced or waived as part of a Special Use Permit if the Planning Commission and Board of Supervisors receive a written statement from the applicable chief administrative official expressing no objection to the proposed location of a facility closer than 1 mile.
 - iv. No solar facility shall be located within 2 miles of another existing or permitted large-scale solar facility.
 - v. Solar facilities interconnecting to transmission lines shall be located within 2 miles of transmission line corridors.
 - vi. Solar facilities shall meet all setback requirements for primary structures for the zoning district in which the facility is located and the requirements set forth below (the more restrictive requirements shall apply).
 - vii. The minimum setback of structures and uses associated with the facility, including fencing, PV panels, parking areas, and outdoor storage, but not including landscaping and berming, shall be:
 - a. 150 feet from adjacent property lines.
 - b. 150 feet from all public rights-of-way.
 - c. 250 feet from a dwelling.

The Planning Commission may recommend and the Board of Supervisors may require increased setbacks up to 300 feet in situations where the height of structures or the topography affects the visual impact of the facility.

These setback requirements shall not apply to the internal property lines of those parcels on which a solar facility is located.

Access, erosion and stormwater structures, and interconnection to the electrical grid may be made through setback areas provided that such are generally perpendicular to the property line.

3-14.3.4.4 Height. For accessory, small-, and large-scale solar facilities, the maximum height of the lowest edge of photovoltaic panels shall be 10 feet as measured from the finished grade. The maximum height of panels, buildings, structures and other components of a solar facility shall be 15 feet, which shall be measured from the highest natural grade below each element. This limit shall not apply to utility poles, substations, or the interconnection to the overhead electric utility grid. The Board of Supervisors may approve a greater height based upon the demonstration of a significant need where the impacts of increased height are mitigated.

3-14.3.4.5 Density. Absent specific authorization by the Board of Supervisors as part of a Special Use Permit, no more than 3 percent of the land area in any given 5-mile radius shall be approved for use as the fenced area for a large-scale solar facility. Under circumstances deemed appropriate by the Board of Supervisors, the Board may approve a denser development for large-scale solar facilities, and establish the maximum density permitted for the subject solar facility.

3-14.3.4.6 Buffer and Screening. For large-scale solar facilities, such facilities, including security fencing that is not ornamental, shall be screened from the ground-level view of adjacent properties and public streets by a buffer zone at least 100' in

width. The buffer shall be located within the setbacks required under this Section and shall run around the entire perimeter of the property. The buffer shall be maintained for the life of the facility. Screening may also be required in other locations to screen specific uses or structures. A recommendation that the screening and/or buffer creation requirements be waived or altered may be made by the Planning Commission when the applicant proposes to use existing wetlands or woodlands to satisfy the screening requirement. The wetlands or woodlands shall be permanently protected as a designated buffer and the overall buffer shall measure at least 75 feet. Screening methods may include:

- a. Existing Screening: Existing vegetation, topography, buildings, open space, or other elements located on the site may be considered as part of the required screening. Existing trees and vegetation may be retained within the buffer area except where dead, diseased, or as necessary for development or to promote healthy growth.
- b. Vegetative Screening: In the event existing vegetation or landforms providing the screening are inadequate or disturbed, new plantings shall be provided in a landscaped strip at least 50 feet wide. Landscaping intended for screening shall consist of a combination of non-invasive species, pollinator species, and native plants, shrubs, trees, grasses, forbs, and wildflowers. Trees intended for screening shall consist of a combination of evergreen and deciduous trees that are 5-6 ft. in height at time of planting. A triple row of trees shall be placed on average at 15 feet on center. A list of appropriate plant materials shall be available at the Planning Office. Species listed on DCR's Invasive Plant Species list shall not be used.
- c. Berming: Berms shall generally be constructed with a 3:1 side slope to rise ratio, 4-6 ft. above the adjacent grade, with a 3 ft. wide top with appropriate pollinator-friendly native plants, shrubs, trees, forbs, and wildflowers. The outside edges of the berm shall be sculpted such that there are vertical

and horizontal undulations to give variations in appearance. When completed, the berm should not have a uniform appearance like a dike.

- d. Opaque Architectural Fencing: Fencing intended for screening shall be at least 50 percent visually solid as viewed on any line perpendicular to the fence from adjacent property or a public street. Such fencing may be used in combination with other screening methods but shall not be the primary method. A typical example is the use of wood privacy fencing and landscaping to screen structures such as substations. Depending on the location, ornamental features may be required on the fence. Fencing material shall not include plastic slats.

3-14.3.4.7 Ground Cover. For large-scale solar facilities, ground cover on the site shall be native vegetation and maintained in accordance with the landscaping plan in accordance with established performance measures. A performance bond reflecting the costs of anticipated maintenance shall be posted and maintained. Failure to maintain the ground cover shall result in revocation of the Special Use Permit and the facility's decommissioning. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.

3-14.3.4.8 Security Fencing. For large-scale solar facilities, such facilities shall be enclosed by security fencing on the interior of the buffer area (not to be seen by other properties) at a minimum of 7 feet in height and topped with razor/barbed wire, as appropriate. The height and/or location of the fence may be altered in the conditions for any particular special use permit. Fencing must be installed on the interior of the vegetative buffer. Fencing shall be placed around sections of the infrastructure (not the entire site) to provide access corridors for wildlife to navigate through the facility. All fencing shall be constructed so as to substantially lessen the likelihood of entry into a solar facility by unauthorized individuals. A performance bond reflecting the costs of

anticipated fence maintenance shall be posted and maintained. Failure to maintain the security fencing shall result in revocation of the discretionary-use Permit and the facility's decommissioning.

3-14.3.4.9 Wildlife Corridors. For large-scale solar facilities, the Applicant shall identify access corridor(s) for wildlife to navigate through and across the solar facility. The proposed wildlife corridor(s) shall be shown on the site plan submitted to the County. Areas between fencing shall be kept open to allow for the movement of migratory animals and other wildlife. Access corridors for wildlife to navigate through the solar facility shall be identified and shown on the Concept Plan submitted to the County.

3-14.3.4.10 Lighting. For large-scale solar facilities, proposed lighting fixtures as approved by the County to minimize off-site glare and shall be the minimum necessary for safety and/or security purposes. No facility shall produce glare that would constitute a nuisance to the public. Any exceptions shall be enumerated on the Concept Plan and approved by the Zoning Administrator. Lighting on the site shall comply with any Dark Skies Ordinance the Board of Supervisors may adopt or, from time to time, amend.

3-14.3.4.11 Signage. For all solar facilities, no signage of any type may be placed on the facility other than notices, warnings, and identification information required by law. Warning signage shall be placed on solar equipment to the extent appropriate or legally required. Solar equipment shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar energy project. All signs, flags, streamers, or similar items, both temporary and permanent, are prohibited on solar equipment except as follows:

- a. manufacturer's or installer's identification;
- b. appropriate warning signs and placards;
- c. signs that may be required by a federal or state agency; and

- d. signs that provide a 24-hour emergency contact phone number and warn of any danger. Educational signs providing information about the project and benefits of renewable energy may be allowed as provided in the local sign ordinance.

3-14.3.4.12 Transmission Lines. Any new electrical transmission lines associated with a solar facility may be located either above or below ground in a manner to be least intrusive and mitigate their impact to surrounding properties.

3-14.3.6 Construction, Operational, and Decommissioning Requirements for Solar Energy Generating Facilities. The following requirements shall be met during the construction phase and/or throughout the operational life of solar facilities subject to a Special Use Permit:

3-14.3.6.1 Noise/Sound. Audible sound from solar facilities shall not exceed sixty (60) decibels, as measured from any adjacent non-participating landowners' property line. This level may be exceeded during short-term exceptional circumstances, such as severe weather. The owner or operator of a solar facility shall measure and document, on a continuing basis, which shall not be less frequent than annually, or upon request by the County, that noise levels comply with the decibel limit established herein; any violation will constitute a zoning violation.

3-14.3.6.2 Groundwater Monitoring. Ground water monitoring to assess the level of groundwater contamination shall take place prior to, and upon completion of construction of a project, throughout the area of the facility. Ground water monitoring shall take place every five years of the operation of the facility, and upon completion of decommissioning. Results from said monitoring shall be delivered to the County.

3-14.3.6.3 Coordination of Local Emergency Services; Emergency Response Plan. Prior to completion of construction, the owner or operator of a facility shall coordinate with the County's emergency services to provide materials, education, and/or training on how to safely respond to on-site

emergencies, and to develop, implement and periodically update, including exercising of, an emergency response plan. Emergency personnel will be given a key or code to access the property in case of an on-site emergency.

3-14.3.6.4 Monitoring and Maintenance. The owner or operator shall maintain the solar facility in good condition. Such monitoring and maintenance shall include, but not be limited to, painting, evaluating the structural integrity of equipment, foundations, structures, fencing and security barriers, as applicable, maintenance of the buffer areas, and landscaping. Site access shall be maintained to a level acceptable to the County. The project owner shall be responsible for the cost of maintaining the facility and access roads, and the cost of repairing damage to private roads occurring as a result of construction and operation. Failure to maintain the Solar Facility may result in revocation of the Special Use Permit and the facility's decommissioning.

3-14.3.6.5 Liability Insurance. The owner or operator of a facility shall provide to the Zoning Administrator written evidence of liability insurance in an amount acceptable to the purchasing utility provider prior to beginning construction and before the issuance of a zoning permit.

3-14.3.6.6 Damaged Panels; Storage. All physically damaged panels or any portion or debris thereof shall be collected by the facility operator and removed from the site or stored on site in a location protected from weather and wildlife and from any contact with ground or water until removal from the site can be arranged; storage of damaged panels or portion or debris thereof shall not exceed thirty (30) days beyond any required period for insurance, warranty claim or in event of force majeure, for which reasonable documentation shall be submitted to and approved by the Zoning Administrator. For the purposes of the foregoing, force majeure shall be defined to include strikes, lockouts or other labor disturbances, inability to secure labor or materials in the open market, acts of God or other element

of nature or accidents, delays or conditions arising from or relating to acts of war, domestic or international terrorism, pandemic, civil disturbances or riots, or any other matter or condition that is beyond the reasonable anticipation and control of the Applicant.

3-14.3.6.7 Compliance with Local, State, and Federal Requirements. During the term of issued Special Use Permits, operation of facilities shall fully comply with all applicable local regulations, as well as all applicable state and federal regulations, including but not limited to, the U.S. Environmental Protection Agency (EPA), Federal Aviation Administration (“FAA”), State Corporation Commission (“SCC”) or equivalent, any state departments related to environmental quality, parks, and wildlife protection, as well as all the applicable regulations of any other agencies that were in force at the time of the permit approval.

3-14.3.6.8 Inspections.

- a. The applicant, owner, or operator will allow designated County representatives or employees access to a facility for inspection purposes. The County representative or employee will provide the facility operator with 24-hour notice prior to such inspection when practicable.
- b. The applicant or owner of a facility shall reimburse the County its costs in obtaining an independent third-party to conduct inspections required by local and state laws and regulations.

3-14.3.6.9 Change in Ownership. Notice of any change of ownership of the facility shall be provided to the County within ten (10) working days of any such change.

3-14.3.6.10 Decommissioning and Reclamation.

- a. Solar facilities which have reached the end of their useful life or have not been in active and continuous service for a period of 6 months

shall be removed at the owner's or operator's expense, except if the project is being repowered or a force majeure event has or is occurring requiring longer repairs; however, the County may require evidentiary support that a longer repair period is necessary.

- b. The owner or operator shall notify the Zoning Administrator by certified mail of the proposed date of discontinued operations and plans for removal.
- c. Decommissioning shall be performed in compliance with an approved Decommissioning Plan, which must be submitted for approval by the Board of Supervisors prior to the issuance of a Zoning Permit. The draft Decommissioning Plan and the final Decommissioning Plan must demonstrate compliance with the requirements of this section. The Board of Supervisors may approve any appropriate amendments to or modifications of the Decommissioning Plan.
- d. Decommissioning shall include removal of all electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated facilities, so that any agricultural ground upon which the facility and/or system was located is again tillable and suitable for agricultural uses. The site shall be graded and re-seeded to restore it to as natural a condition as possible, unless the landowner requests in writing that the access roads or other land surface areas not be restored, and this request is approved by the Board of Supervisors (other conditions might be more beneficial or desirable at that time).
- e. The site shall be re-graded and re-seeded to as natural condition as possible within 12 months of removal of facilities. Re-grading and re-seeding shall be initiated within a 6-month period of removal of equipment.

- f. Any exception to site restoration, such as leaving driveways, entrances, or landscaping in place, or substituting plantings, shall be requested by the landowner in writing, and this request must be approved by the Zoning Administrator.
- g. Hazardous material from the property shall be disposed of in accordance with federal and state law.
- h. The estimated cost of decommissioning shall be guaranteed by the deposit of funds in an amount equal to the estimated cost in an escrow account at a federally insured financial institution approved by the County.
 - i. The applicant shall deposit the required amount into the approved escrow account before any building permit is issued to allow construction of the solar facility.
 - ii. The escrow account agreement shall prohibit the release of the escrow funds without the written consent of the County. The County shall consent to the release of the escrow funds upon the owner's or occupant's compliance with the approved decommissioning plan. The County may approve the partial release of escrow funds as portions of the approved decommissioning plan are performed.
 - iii. The amount of funds required to be deposited in the escrow account shall be the full amount of the estimated decommissioning cost without regard to the possibility of salvage value, plus 10%.
 - iv. The owner or occupant shall recalculate the estimated cost of decommissioning every five years. If the recalculated estimated cost of decommissioning exceeds the original estimated cost of decommissioning by ten percent (10%), then the owner or occupant shall deposit additional funds into the escrow account to meet the new cost estimate. If the recalculated estimated cost of decommissioning is less than ninety

- percent (90%) of the original estimated cost of decommissioning, then the County may approve reducing the amount of the escrow account to the recalculated estimate of decommissioning cost.
- v. The County may approve alternative methods to secure the availability of funds to pay for the decommissioning of a utility-scale solar facility, such as a performance bond, letter of credit, or other security approved by the County.
 - vi. If the owner or operator of the solar facility fails to remove the installation in accordance with the requirements of this permit or within the proposed date of decommissioning, the County may collect the surety and the County or hired third party may enter the property to physically remove the installation.

3-14.4 Wind Energy Generating Facilities. Accessory wind facilities that are accessory to a principal use of a property are permitted either by-right or subject to a Special Use Permit as specified within the applicable zoning districts in Article 4. Utility-scale wind energy systems, or any wind energy generating facility constituting a principal use of property, are prohibited in all zoning districts.

PART III. That **Article 3, General Requirements for All Zone Districts, Sections 3-15 and 3-15.1, of the Zoning Ordinance**, be amended as follows:

By renaming Section 3-15 as “Communication Tower & Antenna Regulations,” and further amending as follows:

3-15 Communication Tower & Antenna Regulations. The purpose of this section is to establish general guidelines for the siting of communication towers and antennas. The goals of this section include; encouraging the towers in non-residential areas when possible, minimizing the total number of towers by providing adequate service through co-location where possible and to site the towers in ways that minimize negative visual impacts to the community. Proposed towers of greater height (over 100ft) and/or towers that are proposed to be illuminated shall require a Special Use Permit. Permitted towers shall be located at a setback distance from any adjacent property line and any public street, at a distance in feet that equals or exceeds the proposed height of the communications tower plus 25% of this distance.

3-15.1 Applicability. This section shall only apply to towers and antennas that are installed at heights greater than fifty (50) feet. Towers used for wind turbines

shall be governed by **Article 3-14** and are not subject to and are exempt from this section.

The purpose of this section is for communications towers, albeit when other towers over fifty (50) feet are proposed applicable sections shall apply.

The placement of an antenna on (or in) an existing structure or existing tower or pole shall be allowed by right, when the additional height of the tower on the existing structure does not exceed an additional twenty (20) feet or more and the addition can meet Building Code Requirements.

Any tower structure or addition to a structure that may require FAA lighting will adhere to the requirements in this section.

PART IV. That **Article 4, Zone Districts and Official Zoning Map, of the Zoning Ordinance**, be amended as follows:

By deleting all references to “Renewable Energy Infrastructure in accordance with Article 3.14” as contained in the lists of Uses Permitted for the Rural Farm District (RF), Rural Residential (RR), Commercial District (C), and Industrial (I) District (IND) zoning districts;

By adding “Accessory Solar Facilities in accordance with Section 3.14,” “Accessory Wind Facilities in accordance with Section 3.14,” “Combustion Units in accordance with Section 3.14,” and “Micro-hydro systems in accordance with Section 3.14” in the lists of Uses Permitted for the Rural Farm District (RF), Rural Residential (RR), Commercial District (C), Industrial (I) District (IND), and Service District (SD) zoning districts, such uses to be inserted in customary alphabetical order with alphabetizing and re-alphabetizing of subsections as necessary;

By adding “Small-Scale Solar Facilities in accordance with Section 3.14” in the lists of Uses Permitted for the Rural Farm District (RF) and Industrial (I) District (IND) zoning districts, such use to be inserted in customary alphabetical order with alphabetizing and re-alphabetizing of subsections as necessary;

By adding “Large-Scale Solar Energy Facilities in accordance with Section 3.14” and “Utility scale hydropower systems in accordance with Section 3.14” in the lists of Special Uses Permitted for the Rural Farm District (RF) and Industrial (I) District (IND) zoning districts, such uses to be inserted in customary alphabetical order with alphabetizing and re-alphabetizing of subsections as necessary; and

PART V. That **Section 5-11, Special Use Permit, of Article 5, Administration of Zoning Ordinance, of the Zoning Ordinance**, be amended as follows:

5-11 Special Use Permit. (sometimes referred to as conditional use permits). The Zoning District regulations (**See Article 4- Zone District**) delineate a number of uses that are allowed by right. Those uses that require another level of review to ensure that the health, safety and welfare of the public can be met, are listed

as Special Uses for the Zone District. When a Special Use is listed for the zone district a Special Use Permit application can be submitted. To apply for a Special Use Permit;

- 1) Consult with the Zoning Administrator for submittal of the application and fees, including any use-specific application requirements.
- 2) A date and time for the next available Planning Commission meeting will be scheduled to ensure that the public hearing notice requirements can be met.
- 3) The Planning Commission will review the application, hold a public hearing and make a recommendation to the Board of Supervisors.
- 4) The Board of Supervisors will review the application, hold a public hearing and issue a determination regarding the Special Use Permit application.

The Planning Commission, in considering its recommendation, and the Board of Supervisors, in considering its action, will take into account whether the proposed Special Use Permit as submitted, or as modified, is detrimental to or has undue adverse impacts on the public's general health, safety, and welfare, and is consistent with the County's Comprehensive Plan or to specific elements of such plan, and to official policies adopted in relation thereto, including the purposes and standards of the Zoning Ordinance. Conditions may be imposed upon individual Special Use Permits to mitigate potential or anticipated negative impacts and/or to ensure consistency with the Comprehensive Plan or specific elements thereof, and the purposes and standards for the Zoning Ordinance.

The Special Use Permit, when granted by the Board of Supervisors, will be based on the site plan and application materials submitted by the applicant, and subject to any conditions imposed thereon. Should the applicant choose to amend or change any aspect of the original application, ~~or~~ site plan, or conditions, the applicant can apply for an amendment to the Special Use Permit by following the procedure listed above.

Special Use Permits are granted to the tax map number(s) identified in the original application, and approval will remain with the land as long as the use (use listed with the original application) is valid, regardless of property ownership.

PART VI. This ordinance shall be effective immediately. The Zoning Code of Grayson County, Virginia shall be revised as set forth herein, subject to Article, Section, and Subsection titles and numbers amendment by the Editor as necessary for consistency. Should any section or provision of this ordinance be decided by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or of the Zoning Ordinance of Grayson County.

Adopted this day 13th day of June 2024 in the County of Grayson, Virginia

By: _____

R. Brantley Ivey, Chair
Grayson County Board of Supervisors

Attest: _____

Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Grayson County Board of Supervisors on the foregoing Ordinance, duly adopted upon a roll-call vote at a public meeting held on June 13th, 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

Grayson County

Grayson County
Board of Supervisors



Commonwealth
of Virginia

RESOLUTION

RECOMMENDING SMART SCALE ROUND 6 TRANSPORTATION PROJECT AT ROUTE 89 AND MT. VALE ROAD RIGHT-TURN LANE IMPROVEMENT PROJECT COMPREHENSIVE PLAN AMENDMENT

WHEREAS, under Section 15.2-2229 of the Virginia Code, the Grayson County Board of Supervisors may consider amendments to the Comprehensive Plan; and

WHEREAS, Section 15.2-2230 of the Virginia Code requires a review of the Comprehensive Plan every five years to determine whether it needs to be amended; and

WHEREAS, due to VTrans identifying a potential safety improvement for Grayson County at Route 89 and Route 618, there is a need to update the Comprehensive Plan; and

WHEREAS, on April 11, 2024, the Grayson County Board of Supervisors initiated a resolution of support of Virginia's Smart Scale project; and

WHEREAS, the intent is to include Route 89 Skyline Highway at Route 618 Mt. Vale Road right turn lane improvement with a storage length of 200' and a taper length of 200'. All shoulders in the project extent will be constructed to have a minimum of 4' paved shoulder width, with the installation of a guardrail adjacent to the right-turn lane; and

WHEREAS, the Grayson County Board of Supervisors finds that this amendment guides and accomplishes a coordinated, adjusted, and harmonious development of the territory, which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants, including the elderly and persons with disabilities;

NOW, THEREFORE, BE IT RESOLVED THAT the Grayson County Planning Commission does hereby recommend that the Grayson County Board of Supervisors adopt Comprehensive Plan Amendment, Round 6, Smart Scale Transportation Amendment for Route 89 at Mt. Vale Road Right Turn Lane Improvement project.

Adopted this day 13th day of June 2024 in the County of Grayson, Virginia

By: _____

R. Brantley Ivey, Chair
Grayson County Board of Supervisors

Attest: _____

Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Grayson County Board of Supervisors on the foregoing Resolution, duly adopted upon a roll-call vote at a public meeting held on June 13th 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				



PRELIMINARY

THESE PLANS ARE UNFINISHED AND UNAPPROVED AND ARE NOT TO BE USED FOR ANY TYPE OF CONSTRUCTION OR THE ACQUISITION OF RIGHT OF WAY

LEGEND

- EXISTING R/W
- PROPOSED R/W
- PROPOSED TEMPORARY CONSTRUCTION EASEMENT
- CONSTRUCTION EASEMENT

SCALE



VIRGINIA DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	VDOT DISTRICT
RT 89	GRAYSON	BRISTOL

ROUTE 89 AND MT VALE RD

Grayson County

Grayson County
Board of Supervisors



Commonwealth
of Virginia

ORDINANCE OF THE COUNTY OF GRAYSON, VIRGINIA EROSION AND SEDIMENT CONTROL PROGRAM

Section 1.1. TITLE, PURPOSE, AND AUTHORITY

- A. This ordinance shall be known as the ‘Erosion and Sediment Control Ordinance of **Grayson County.**’ The purpose of this ordinance is to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources of the **County of Grayson** by establishing requirements for the effective control of soil erosion, sediment deposition and non-agricultural runoff and by establishing procedures whereby these requirements shall be administered and enforced.
- B. This ordinance is authorized by § 62.1-44.15:54 of the Code of Virginia.

Section 1.2. DEFINITIONS

The following words and terms, when used in this ordinance, shall have the following meanings unless the context clearly indicates otherwise.

"Agreement in lieu of a plan" means a contract between the **VESCP authority** and the owner that specifies conservation measures that must be implemented to comply with the requirements of this ordinance for the construction of a (i) single-family detached

residential structure or (ii) farm building or structure on a parcel of land with a total impervious cover percentage, including the impervious cover from the farm building or structure to be constructed, of less than five percent; this contract may be executed by the **VESCP authority** in lieu of formal site plan.

"Applicant" means any person submitting an erosion and sediment control plan for approval in order to obtain authorization for land-disturbing activities to commence.

"Board" means the State Water Control Board.

"Certified inspector for ESC" means an employee or agent of the VESCP authority who (i) holds a certificate of competence from the department in the area of project inspection or (ii) is enrolled in the department's training program for project inspection and successfully completes such program within one year after enrollment.

"Certified plan reviewer for ESC" means an employee or agent of the VESCP authority who (i) holds a certificate of competence from the department in the area of plan review, (ii) is enrolled in the department's training program for plan review and successfully completes such program within one year after enrollment, or (iii) is licensed as a professional engineer, architect, landscape architect, land surveyor pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia, or professional soil scientist as defined in § 54.1-2200.

"Certified program administrator for ESC" means an employee or agent of the VESCP authority who holds a certification from the department in the classification of program administrator or (ii) is enrolled in the department's training program for program administration and successfully completes such program within one year after enrollment.

"Clearing" means any activity which removes the vegetative ground cover including, root mat removal or topsoil removal.

"County" means the County of **Grayson**.

"Department" means the Virginia Department of Environmental Quality.

"District" or "Soil and Water Conservation District" refers to the **New River** Soil and Water Conservation District.

"Erosion and sediment control plan" or "plan" means a document containing material for the conservation of soil and water resources of a unit or group of units of land. It may include appropriate maps, an appropriate soil and water plan inventory and management information with needed interpretations, and a record of decisions contributing to conservation treatment. The plan shall contain all major conservation decisions to ensure that the entire unit or units of land will be so treated to achieve the conservation objectives.

"Erosion impact area" means an area of land that is not associated with a current land-disturbing activity but is subject to persistent soil erosion resulting in the delivery of sediment onto neighboring properties or into state waters. This definition shall not apply to any lot or parcel of land of 10,000 square feet or less used for residential purposes.

"Farm building or structure" means the same as that term is defined in § 36-97 of the Code of Virginia and also includes any building or structure used for agritourism activity, as defined in § 3.2-6400, and any related impervious surfaces including roads, driveways, and parking areas.

"Excavating" means any digging, scooping or other methods of removing earth materials.

"Filling" means any depositing or stockpiling of earth materials.

"Grading" means any excavating or filling of earth material or any combination thereof, including the land in its excavated or filled conditions.

"Land disturbance" or "land-disturbing activity" means a man-made change to the land surface that may result in soil erosion or has the potential to change its runoff characteristics, including the clearing, grading, excavating, transporting, and filling of land.

"Land-disturbing permit or approval" means a permit or an approval allowing a land-disturbing activity to commence issued by **VESCP authority** after the requirements of § 62.1-44.15:55 of the Code of Virginia have been met.

"Natural channel design concepts" means the utilization of engineering analysis and fluvial geomorphic processes to create, rehabilitate, restore, or stabilize an open conveyance system for the purpose of creating or recreating a stream that conveys its bankfull storm event within its banks and allows larger flows to access its bankfull bench and its floodplain.

"Owner" means the same as provided in § 62.1-44.3 of the Code of Virginia. For a land-disturbing activity that is regulated under Article 2.4 (§ 62.1-44.15:51 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia and this ordinance, "owner" also includes the owner or owners of the freehold of the premises or lesser estate therein, mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, or other person, firm, or corporation in control of a property.

"Peak flow rate" means the maximum instantaneous flow from a prescribed design storm at a particular location.

"Percent impervious" means the impervious area within the site divided by the area of the site multiplied by 100.

"Permittee" means the person to whom the permit is issued.

"Person" means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town, or other political subdivision of the Commonwealth, governmental body, including a federal or state entity as applicable, any interstate body, or any other legal entity.

"Responsible Land Disturber" or "RLD" means an individual holding a certificate issued by the department who is responsible for carrying out the land-disturbing activity in accordance with the approved erosion and sediment control plan. The RLD may be the owner, applicant, permittee, designer, superintendent, project manager, contractor, or any other project or development team member. The RLD must be designated on the erosion and sediment control plan or permit as defined in the Virginia Erosion and Stormwater Management Regulation (9VAC25-875) as a prerequisite for engaging in land disturbance. The RLD must be designated on the erosion and sediment control plan or permit as defined in this ordinance as a prerequisite for engaging in land disturbance.

"Runoff volume" means the volume of water that runs off the land development project from a prescribed storm event.

"Single-family detached residential structure" means a noncommercial dwelling that is occupied exclusively by one family.

"State waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

"Transporting" means any moving of earth materials from one place to another place other than such movement incidental to grading when such movement results in destroying the vegetative ground cover either by tracking or the buildup of earth materials to the extent that erosion and sedimentation will result from the soil or earth materials over which such transporting occurs.

"Town" means the incorporated town of **Independence, Fries, and Troutdale**.

"Virginia Erosion and Sediment Control Program" or "VESCP" means a program approved by the department that is established by a VESCP authority for the effective control of soil erosion, sediment deposition, and nonagricultural runoff associated with a land-disturbing activity to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources and shall include such items where applicable as local ordinances, rules, policies and guidelines, technical materials, and requirements for plan review, inspection, and evaluation consistent with the requirements of the Erosion and Sediment Control Law (ESCL).

"Virginia Erosion and Sediment Control Program authority" or "VESCP authority," for purposes of this ordinance, means **the County of Grayson** that has been approved by the department to operate a Virginia Erosion and Sediment Control Program in accordance with Article 2.4 (§ 62.1-44.15:51 et seq.) of Chapter 3.1, the State Water Control Law, of Title 62.1 of the Code of Virginia.

"VESCP plan-approving authority" means the **Grayson County Erosion and Sediment Control Program Administrator** is responsible for determining the adequacy of a plan submitted for land-disturbing activities on a unit or units of lands and for approving plans.

"VPDES Permit" means a General VPDES (Virginia Pollutant Discharge Elimination System) Permit for Discharges of Stormwater from Construction Activities, 9VAC25-880, issued by the department pursuant to § 62.1-44.15 of the Code of Virginia for stormwater discharges from a land-disturbing activity.

Section 1.3. LOCAL EROSION AND SEDIMENT CONTROL PROGRAM

Pursuant to § 62.1-44.15:54 of the Code of Virginia, the **VESCP authority** hereby establishes a Virginia Erosion and Sediment Control Program (VESCP) and adopts the regulations promulgated by the Board (for the effective control of soil erosion and sediment deposition to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources)

- A. For plans approved on and after July 1, 2014, the flow rate capacity and velocity requirements for natural and man-made channels shall be satisfied by compliance with water quantity requirements specified 9VAC25-875-600, unless such land-disturbing activities are in accordance with the grandfathering provisions of 9VAC25-875-490.
- B. Pursuant to § 62.1-44.15:53 of the Code of Virginia, an erosion control plan shall not be approved until it is reviewed by a certified plan reviewer for ESC. Inspections of land-disturbing activities shall be conducted by a certified inspector for ESC. The Erosion and Sediment Control Program of **Grayson County** shall contain a certified program administrator for ESC, a certified plan reviewer for ESC, and a certified inspector for ESC (who may be the same person.)
- C. **Grayson County** hereby designates the **Erosion and Sediment Control Program Administrator** as the VESCP plan-approving authority.
- D. The program and regulations provided for in this ordinance shall be made available for public inspection at the office of the **Department of Planning and Community Development**.

Section 1.4. REGULATED LAND-DISTURBING ACTIVITIES

- A. Land-disturbing activities that meet one of the criteria below are regulated as follows:
 - 1. [Land-disturbing activity that disturbs [10,000] square feet or more, is less than one acre, not in an area of a locality designated as a Chesapeake Bay Preservation Area, and not part of a common plan of development or sale, is subject to criteria defined in Article 2 (9VAC25-875-540 et seq.) of Part V of the Virginia Erosion and Stormwater Management Regulation (Regulation).]

Section 1.5. ACTIVITIES NOT REQUIRED TO COMPLY WITH THE ESCL

- A. Notwithstanding any other provisions of the Erosion and Sediment Control Law

for Localities Not Administering a Virginia Erosion and Stormwater Management Program (ESCL), the following activities are not required to comply with the ESCL unless otherwise required by federal law:

1. Disturbance of a land area of less than 10,000 square feet in size.
2. Minor land-disturbing activities such as home gardens and individual home landscaping, repairs, and maintenance work;
3. Installation, maintenance, or repair of any individual service connection;
4. Installation, maintenance, or repair of any underground utility line when such activity occurs on an existing hard surfaced road, street, or sidewalk, provided the land-disturbing activity is confined to the area of the road, street, or sidewalk that is hard surfaced;
5. Installation, maintenance, or repair of any septic tank line or drainage field unless included in an overall plan for land-disturbing activity relating to construction of the building to be served by the septic tank system;
6. Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted pursuant to Title 45.2 of the Code of Virginia;
7. Clearing of lands specifically for bona fide agricultural purposes; the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops; livestock feedlot operations; agricultural engineering operations, including construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; or as additionally set forth by the board in regulations. However, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (§ 10.1-1100 et seq.) of Title 10.1 of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in subsection B of § 10.1-1163 of the Code of Virginia;
8. Installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;
9. Shoreline erosion control projects on tidal waters when all of the land-disturbing activities are within the regulatory authority of and approved by local wetlands boards, the Virginia Marine Resources Commission, or the United States Army Corps of Engineers; however, any associated land that is disturbed

outside of this exempted area shall remain subject to the ESCL and the regulations adopted pursuant thereto;

10. Land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the VESCP authority shall be advised of the disturbance within seven days of commencing the land-disturbing activity, and compliance with the administrative requirements of subsections 1.6, 1.7 and 1.8 of this ordinance are required within 30 days of commencing the land-disturbing activity;
11. Discharges to a sanitary sewer or a combined sewer system that are not from a land-disturbing activity; and
12. Repair or rebuilding of the tracks, rights-of-way, bridges, communication facilities, and other related structures and facilities of a railroad company.

Section 1.6. SUBMISSION AND APPROVAL OF PLANS; CONTENTS OF PLANS

- A. Except as provided herein, no person may engage in any regulated land-disturbing activity until he or she has submitted to the **VESCP authority** an erosion and sediment control plan for the regulated land-disturbing activity and such plan has been approved by the **VESCP authority**. No approval to begin a land disturbing activity will be issued unless evidence of VPDES permit coverage is obtained where it is required.

Where the land-disturbing activity results from the construction of a (i) single-family detached residential structure or (ii) farm building or structure on a parcel of land with a total impervious cover percentage, including the impervious cover from the farm building or structure to be constructed, of less than five percent, an agreement in lieu of a plan may be substituted for an erosion and sediment control plan if executed by the VESCP plan-approving authority.

- B. The standards contained within the "Virginia Erosion and Stormwater Management Regulation (9VAC25-875)" the Virginia Stormwater Management Handbook, as amended and any local handbook or publication are to be used by the applicant when making a submittal under the provisions of this ordinance and in the preparation of an erosion and sediment control plan. The VESCP plan-approving authority, in considering the adequacy of a submitted plan, shall be guided by the same standards, regulations and guidelines. When the standards vary between the publications, the Virginia Erosion and Stormwater Management Regulation shall take precedence.

- C. The VESCP plan-approving authority shall review erosion and sediment control plans submitted to it and grant written approval within 60 days of the receipt of the plan if it determines that the plan meets the requirements of the Erosion and Sediment Control Law for Localities not Administering a Virginia Erosion and Stormwater Management Program and 9VAC25-875, and if the person responsible for carrying out the plan certifies that he or she will properly perform the erosion and sediment control measures included in the plan and will comply with the provisions of this ordinance. In addition, as a prerequisite to engaging in the land-disturbing activities shown on the approved plan, the person responsible for carrying out the plan shall provide the name of the responsible land disturber to the VESCP authority, as required by 9VAC25-875-300 and 9VAC25-875-550, who will be in charge of and responsible for carrying out the land-disturbing activity. Failure to provide the name of the responsible land disturber, prior to engaging in land-disturbing activities may result in revocation of the approval of the plan and the person responsible for carrying out the plan shall be subject to the penalties provided in this ordinance.

However, the VESCP plan-approving authority may waive the Responsible Land Disturber certificate requirement for an agreement in lieu of a plan for construction of a single-family detached residential structure. If a violation occurs during the land-disturbing activity associated with the construction of the single-family detached residential structure, then the person responsible for carrying out the agreement in lieu of a plan shall correct the violation and provide the name of the responsible land disturber to the VESCP authority.

Failure to provide the name of the responsible land disturber shall be a violation of this ordinance.

- D. When the plan is determined to be inadequate, written notice of disapproval stating the specific reasons for disapproval shall be communicated to the applicant within 45 days. The notice shall specify such modifications, terms and conditions that will permit approval of the plan. If no action is taken within 45 days, the plan shall be deemed approved and the person authorized to proceed with the proposed activity.
- E. The **VESCP authority** shall act on any erosion and sediment control plan that has been previously disapproved within 45 days after the plan has been revised, resubmitted for approval, and deemed adequate.
- F. The **VESCP authority** may require changes to an approved plan when:
1. The inspection reveals that the plan is inadequate to satisfy applicable regulations; or
 2. The person responsible for carrying out the plan finds that because of changed circumstances or for other reasons the approved plan cannot be

effectively carried out, and proposed amendments to the plan, consistent with the requirements of this ordinance, are agreed to by the VESCP plan-approving authority and the person responsible for carrying out the plans.

- G. Variances: The VESCP plan-approving authority may waive or modify any of the standards that are deemed to be inappropriate or too restrictive for site conditions, by granting a variance. A variance may be granted under these conditions:
1. At the time of plan submission, an applicant may request a variance to become part of the approved erosion and sediment control plan. The applicant shall explain the reasons for requesting variances in writing. Specific variances which are allowed by the VESCP plan-approving authority shall be documented in the plan.
 2. During construction, the person responsible for implementing the approved plan may request a variance in writing from the VESCP plan-approving authority. The VESCP plan-approving authority shall respond in writing either approving or disapproving such a request. If the VESCP plan-approving authority does not approve a variance within 10 days of receipt of the request, the request shall be considered to be disapproved. Following disapproval, the applicant may resubmit a variance request with additional documentation.
 3. The **VESCP authority** shall consider variance requests judiciously, keeping in mind both the need of the applicant to maximize cost effectiveness and the need to protect off-site properties and resources from damage.
- H. In order to prevent further erosion, the **VESCP authority** may require approval of a plan for any land identified in the local program as an erosion impact area.
- I. When a land-disturbing activity will be required of a contractor performing construction work pursuant to a construction contract, the preparation, submission, and approval of an erosion and sediment control plan shall be the responsibility of the owner.
- J. As an alternative to submitting soil erosion control and stormwater management plans pursuant to § 62.1-44.15:34 of the Code of Virginia to the **VESCP authority**, any person engaging in more than one jurisdiction in the creation and operation of a wetland mitigation or stream restoration bank that has been approved and is operated in accordance with applicable federal and state guidance, laws, or regulations for the establishment, use, and operation of (i) a wetlands mitigation or stream restoration bank, pursuant to a mitigation banking instrument signed by the Department, the Marine Resources Commission, or the U.S. Army Corps of

Engineers, or (ii) a stream restoration project for purposes of reducing nutrients or sediment entering state waters may submit standards and specifications for Department approval that describe how land-disturbing activities shall be conducted.

Section 1.7. EROSION AND SEDIMENT CONTROL PLAN; CONTENTS OF PLANS

- A. An erosion and sediment control plan shall be filed for a development and the buildings constructed within, regardless of the phasing of construction. The erosion and sediment control plan shall be consistent with the criteria, techniques, and methods in 9VAC25- 875-560. The erosion and sediment control plan shall contain all major conservation decisions to ensure that the entire unit or units of land will be so treated to achieve the conservation objectives in 9VAC25-875-560. The erosion and sediment control plan may include:
 1. Appropriate maps;
 2. An appropriate soil and water plan inventory and management information with needed interpretations; and
 3. A record of decisions contributing to conservation treatment.
- B. The person responsible for carrying out the plan shall provide the name of an individual holding a certificate who will be in charge of and responsible for carrying out the land- disturbing activity to the VESMP authority. [Note: The VESMP authority may waive the Responsible Land Disturber certificate requirement for an agreement in lieu of a plan in accordance with § 62.1-44.15:34 or § 62.1-44.15:55 of the Code of Virginia.]
- C. If individual lots or sections in a residential development are being developed by different property owners, all land-disturbing activities related to the building construction shall be covered by an erosion and sediment control plan **or an "Agreement in Lieu of a Plan" signed by the property owner.**
- D. Land-disturbing activity of less than 10,000 square feet on individual lots in a residential development shall not be considered exempt from the provisions of the VESMA, ESCL, or this ordinance if the total land-disturbing activity in the development is equal to or greater than 10,000 square feet.

Section 1.8. PERMITS; FEES; SECURITY FOR PERFORMANCE

- A. Agencies authorized under any other law to issue grading, building, or other permits for activities involving land-disturbing activities shall not issue any such permit unless the applicant submits with his application an approved erosion and sediment control plan, certification that the plan will be followed and evidence of VPDES permit coverage where it is required.
- B. No person may engage in any land-disturbing activity until he or she has acquired a land-disturbing permit (unless the proposed land-disturbing activity is specifically exempt from the provisions of this ordinance), has paid the fees and has posted the required bond.
- C. An administrative fee of **\$100.00 plus \$15.00 per acre** shall be paid to **the VESCP authority** at the time of submission of the erosion and sediment control plan.
- D. No land-disturbing permit shall be issued until the applicant submits with his or her application an approved erosion and sediment control plan [or agreement in lieu of an approved erosion and sediment control plan] and certification that the plan will be followed.
- E. All applicants for permits shall provide to the **County of Grayson** a performance bond with surety, cash escrow, or an irrevocable letter of credit acceptable to the VESCP authority to ensure that measures could be taken by the **County of Grayson** at the applicant's expense should the applicant fail, after proper notice, within the time specified to initiate or maintain appropriate conservation measures required of him or her by the approved plan as a result of his land-disturbing activity.

The amount of the bond or other security for performance shall not exceed the total of the estimated cost to initiate and maintain appropriate conservation action based on unit price for new public or private sector construction in the locality and a reasonable allowance for estimated administrative costs and inflation which shall not exceed twenty-five percent of the cost of the conservation action. Should it be necessary for the **VESCP authority** to take such conservation action, the **VESCP authority** may collect from the applicant any costs in excess of the amount of the surety held. Within sixty (60) days of adequate stabilization, as determined by Erosion and Sediment Control Program Administrator in any project or section of a project, such bond, cash escrow or letter of credit, or the unexpended or unobligated portion thereof, shall be either refunded to the applicant or terminated, based upon the percentage of stabilization accomplished in the project or project section. These requirements are in addition to all other provisions

relating to the issuance of permits and are not intended to otherwise affect the requirements for such permits.

Section 1.9. MONITORING, REPORTS, AND INSPECTIONS

- A. The responsible land disturber, as provided by § 62.1-44.15:52, shall be in charge of and responsible for carrying out the land-disturbing activity and provide for periodic inspections of the land-disturbing activity. The person responsible for carrying out the plan shall monitor the land-disturbing activity. The person responsible for carrying out the plan will maintain records of these inspections and maintenance, to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation.
- B. The **Erosion and Sediment Control Inspector or his designee** shall periodically inspect the land-disturbing activity in accordance with 9VAC25-875-330 to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation. The Erosion and Sediment Control Inspector or his designee shall be granted the right of entry onto properties to inspect and determine compliance with this chapter. The owner, permittee, or person responsible for carrying out the plan shall be given notice of the inspection and shall such inspection in accordance with § 62.1-44.15:60 and the land-disturbing permit.

If the **Erosion and Sediment Control Inspector or his designee** determines that there is a failure to comply with the plan, notice to comply may be served upon the permittee or person responsible for carrying out the plan. Such notice shall be served by delivery by facsimile, e-mail, or other technology; by mailing with confirmation of delivery to the address specified in the permit application or in the plan certification, if available, or in the land records of the locality; or by delivery at the site of the land-disturbing activities to the agent or employee supervising such activities.

The notice to comply shall specify the measures needed to comply with the land-disturbance approval conditions or shall identify the plan approval or land-disturbance approval needed to comply with this article and shall specify a reasonable time within which such measures shall be completed. Upon failure to comply within the specified time, any plan approval or land-disturbance approval may be revoked and the permittee or person responsible for carrying out the plan shall be subject to the penalties provided by this ordinance.

- C. Upon issuance of an inspection report denoting a violation of § 62.1-44.15:55 of the Code of Virginia, the [position title] may, in conjunction with or subsequent to a notice to comply as specified in this ordinance, issue an order requiring that all or part of the land-disturbing activities permitted on the site be stopped until the specified corrective measures have been taken.

If land-disturbing activities have commenced without an approved plan, the **Grayson County Erosion and Sediment Control Program Administrator** may issue an order requiring that all of the land-disturbing activities be stopped until an approved plan or any required permits are obtained.

Where the alleged noncompliance is causing or is in imminent danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth, or where the land-disturbing activities have commenced without an approved plan, such a stop work order may be issued without regard to whether the alleged violator has been issued a notice to comply as specified in this ordinance. Otherwise, such an order may be issued only after the alleged violator has failed to comply with such a notice to comply.

The stop work order shall be served in the same manner as a notice to comply and shall remain in effect for a period of seven days from the date of service pending application by the **VESCP authority** or permit holder for appropriate relief to the Circuit Court of **the County of Grayson**. The **VESCP authority** shall serve such order for disturbance without an approved plan upon the owner by mailing with confirmation of delivery to the address specified in the land records. The order shall be posted on the site where the disturbance is occurring, and shall remain in effect until permits and plan approvals are secured, except in such situations where an agricultural exemption applies.

If the alleged violator has not obtained an approved plan within seven days from the date of service of the stop work order, the **Grayson County Erosion and Sediment Control Program Administrator** may issue an order to the owner requiring that all construction and other work on the site, other than corrective measures, be stopped until an approved plan has been obtained. Such an order shall be served upon the owner by mailing with confirmation of delivery to the address specified in the plan or the land records of **VESCP authority**.

The owner may appeal the issuance of an order to the Circuit Court of **the County of Grayson**.

Any person violating or failing, neglecting or refusing to obey an order issued by **Grayson County Erosion and Sediment Control Program Administrator** may be compelled in a proceeding instituted in the Circuit Court of **the County of Grayson**

to obey same and to comply therewith by injunction, mandamus or other appropriate remedy.

Upon completion and approval of corrective action or obtaining an approved plan, the order shall immediately be lifted.

Nothing in this section shall prevent the **Grayson County Erosion and Sediment Control Program Administrator** from taking any other action authorized by this ordinance or other applicable laws.

Section 1.10. PENALTIES, INJUNCTIONS, AND OTHER LEGAL ACTIONS

A. Any person who has violated or failed, neglected, or refused to obey any order, notice, or requirement of the **VESCP authority**, any condition of a land-disturbance approval, or any provision of this ordinance shall, upon a finding of the District Court of **the County of Grayson**, be assessed a civil penalty. The civil penalty for any one violation shall be not less than \$100 nor more than \$1,000, except that the civil penalty for commencement of land-disturbing activities without an approved plan shall be \$1,000. Each day during which the violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same operative set of facts result in civil penalties which exceed a total of \$10,000, except that a series of violations arising from the commencement of land-disturbing activities without an approved plan for any site shall not result in civil penalties which exceed a total of \$10,000.

B. The **Grayson County Erosion and Sediment Control Program Administrator**, or the owner or property which has sustained damage, or which is in imminent danger of being damaged, may apply to the Circuit Court of the **County of Grayson** to enjoin a violation or a threatened violation of §§ 62.1-44.15:55 or 62.1-44.15:58 of the Code of Virginia, without the necessity of showing that an adequate remedy at law does not exist.

However, an owner of property shall not apply for injunctive relief unless (i) he has notified in writing the person who has violated the local program, and the program authority, that a violation of the local program has caused, or creates a probability of causing, damage to his property, and (ii) neither the person who has violated the local program nor the program authority has taken corrective action within fifteen days to eliminate the conditions which have caused, or create the probability of causing, damage to his property.

C. In addition to any criminal or civil penalties provided under this ordinance, any person who violates any provision of the Erosion and Sediment Control Law may

be liable to **VESCP authority** in a civil action for damages.

- D. Without limiting the remedies which may be obtained in this section, any person violating or failing, neglecting, or refusing to obey any injunction, mandamus, or other remedy obtained pursuant to this section shall be subject, in the discretion of the court, to a civil penalty not to exceed \$2,000 for each violation. A civil action for such violation or failure may be brought by the **VESCP authority**.

Any civil penalties assessed by a court shall be paid into the treasury of **the County of Grayson**, except that where the violator is the locality itself or its agent, the court shall direct the penalty to be paid into the state treasury.

- E. With the consent of any person who has violated or failed, neglected or refused to obey any regulation or condition of a permit or any provision of this ordinance or order of the **VESCP authority**, the **County of Grayson** may provide for the payment of civil charges for violations in specific sums, not to exceed the limit specified in Subsection D of this section. Such civil charges shall be instead of any appropriate civil penalty which could be imposed under Subsection A or D.
- F. The Commonwealth's Attorney shall, upon request of the County of Grayson, take legal action to enforce the provisions of this ordinance.

Section 1.11. APPEALS AND JUDICIAL REVIEW

- A. Final decisions of the **VESCP authority** under this ordinance shall be subject to review by the **County of Grayson** Circuit Court, provided an appeal is filed within 30 days from the date of any written decision adversely affecting the rights, duties, or privileges of the person engaging in or proposing to engage in land-disturbing activities.

Adopted this 13th day of June 2024 in the County of Grayson, Virginia.

R. Brantley Ivey, Chair
Grayson County Board of Supervisors

ATTEST: _____
Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Grayson County Board of Supervisors on the foregoing Ordinance, duly adopted upon a roll-call vote at a public meeting held on June 13th, 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

Grayson County

Grayson County
Board of Supervisors



Commonwealth
of Virginia

RESOLUTION ADOPTING THE UTILITY SCALE RENEWABLE FACILITIES POLICIES COMPREHENSIVE PLAN ADDENDUM

WHEREAS, under Section 15.2-2229 of the Virginia Code, the Board of County Supervisors may consider amendments to the Comprehensive Plan; and

WHEREAS, Section 15.2-2230 of the Virginia Code requires a review of the Comprehensive Plan every five years to determine whether it needs to be amended; and

WHEREAS, due to the increase in renewable facilities permit applications, changes in State law, and the increased demand for renewable energy generation facilities, there is a need to update the Comprehensive Plan; and

WHEREAS, on May 7, 2024, the Board of County Supervisors initiated an amendment to the Comprehensive Plan to address utility scale renewable energy facilities; and

WHEREAS, the intent is to provide policies and a development vision showing how the County may utilize its land resources to accommodate the increase in utility scale renewable energy generation facilities; and

WHEREAS, the Planning Commission held a public hearing on May 21, 2024, after notice in accordance with Section 15.2-2204 of the Code of Virginia, and heard citizen testimony regarding the proposed amendments to the Comprehensive Plan; and

WHEREAS, the Planning Commission, by Resolution, found that the proposed amendment to the Comprehensive Plan guides and accomplishes a coordinated, adjusted and harmonious

development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, including the elderly and persons with disabilities;

NOW, THEREFORE, BE IT RESOLVED that the Grayson County Board of Supervisors does hereby adopt Comprehensive Plan Amendment, Utility-Scale Renewable Energy Facilities Policies, attached hereto, to be incorporated into the Comprehensive Plan and referenced in the Table of Contents thereof.

Adopted this day 13th day of June 2024 in the County of Grayson, Virginia

By: _____

R. Brantley Ivey, Chair
Grayson County Board of Supervisors

Attest: _____

Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Grayson County Board of Supervisors on the foregoing Resolution, duly adopted upon a roll-call vote at a public meeting held on June 13th 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

Grayson County

Grayson County
Board of Supervisors



Commonwealth
of Virginia

ORDINANCE

TO AMEND THE ZONING ORDINANCE OF GRAYSON COUNTY, VIRGINIA ZONING FOR THE REGULATION OF SOLAR ENERGY AND WIND ENERGY GENERATING FACILITIES, ALONG WITH OTHER AMENDMENTS FOR RENEWABLE ENERGY USES TO CLARIFY THEIR REGULATION, AND TO UPDATE PROCEDURES RELATED TO THE CONSIDERATION OF SPECIAL USE PERMITS

ARTICLE I. Purpose(s) and Authority.

WHEREAS, section 15.2-2204 *et.seq.* of the Code of Virginia (1950, as amended) established that any locality may, by ordinance, establish regulations on zoning and planning; and

WHEREAS, the Grayson County Board of Supervisors have determined that it is in the best interest of public health, safety, and general welfare to amend and update regulations related to renewable energy uses, and specifically solar energy and wind energy generating facilities; and

WHEREAS, the Grayson County Board of Supervisors have determined that utility-scale wind facilities are not considered to be an appropriate land use in the County given their potential impacts on adjacent and nearby uses, the County's natural resources and important viewsheds, and shall be prohibited; and

WHEREAS, the Grayson County Board of Supervisors have further determined that is in the best interest of public health, safety, and general welfare to update procedures related to the consideration of special use permits; and

WHEREAS, the Grayson County Planning Commission held a public hearing and recommended passage of this Ordinance on May 21, 2024; and

WHEREAS, the Board of Supervisors of the County of Grayson, Virginia, held a public hearing on this Ordinance.

ARTICLE II. Construction.

For the purposes of this ordinance amendment, underlined works (underline) shall be considered as additions to the existing Zoning Ordinance language and strikethrough words (strikethrough) shall be considered deletions to existing language. Any portions of the adopted Zoning Ordinance which are not repeated herein but are instead replaced by an ellipses (“...”) shall remain as they currently exist with the Zoning Ordinance.

ARTICLE III. Amendment of the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Grayson County, Virginia, after public notice, public hearing, and consideration of the best interests of the public health, safety, and welfare, that the Zoning Ordinance of Grayson County, Virginia, shall be amended, as follows:

PART I. That **Article 2, Definitions, of the Zoning Ordinance**, be amended by adding the following terms and definitions, inserted therein in customary alphabetical order with numbering and renumbering of sections as necessary:

Brownfield: A former industrial or commercial site typically containing low levels of environmental pollution such as hazardous waste or industrial byproducts.

Solar Energy Generating Facility (Solar Facility): Solar energy generating devices, inverters, a substation, ancillary equipment, buildings, security fencing, access roads, setbacks, and screening on the site. Solar energy generating devices utilize sunlight as an energy source to heat or cool buildings, heat or cool water, or produce mechanical power by means of any combination of collecting, transferring, or converting solar generated energy. The term applies to, but is not limited to, solar photovoltaic systems, solar thermal systems, and solar hot water systems. The following words, terms and phrases pertaining to solar energy generating facilities, when used in the Grayson County Zoning Ordinance or in the administration thereof, shall have the following meanings ascribed to them:

Accessory Solar Facility: A solar facility comprised of photovoltaics attached to and/or incorporated into building components and/or materials for structures, such as roofs or shingles, along with supporting equipment, the facility being an accessory use to the principal use of the property and not exceeding 50 kW. Such facilities may be ground-mounted. Supporting equipment commonly includes panels, racking, inverters, performance monitoring, grid connection, and energy storage systems.

Large-Scale Solar Energy Facility: A ground-mounted solar facility that generates electricity from sunlight on an area adequate to support a rated capacity of one megawatt (MW) alternating current or greater.

Operator: The company or individual responsible for the overall operation and management of the solar facility.

Owner: The company or person who owns all or a portion of a solar facility.

Participating landowner: A person who owns real property under lease or other property agreement with the owner or operator of a solar facility.

Photovoltaic (PV): Materials and devices that absorb sunlight and convert it directly into electricity.

Project; Project Area: These terms, when used in the context of identifying the limits or area of a facility, or the distance or separation of a facility or its components from other features, shall refer to the entirety of one or more parcels or leased portions of parcels upon which a facility is proposed to be sited.

Rated capacity: The maximum capacity of a solar facility based on the sum total of each photovoltaic system's nameplate capacity.

Small-Scale Solar Energy Facility: A ground-mounted solar facility that generates electricity from sunlight on an area adequate to support a rated capacity of one megawatt (1 MW) alternating current or less.

Viewshed: The view of an area from a specific vantage point. It includes all surrounding points that are in line of sight with that location.

Wind Energy Generating Facility (Wind Facility): A facility or project that generates electricity from wind and consists of one (1) or more wind turbines and may include other accessory structures and buildings, including substations, post-construction meteorological towers, electrical infrastructure, and other appurtenant structures and facilities within the boundaries of the site. This includes, but is not limited to, transmission, storage, collection and supply equipment, substations, transformers, service and access roads, and one or more wind turbines. The following words, terms and phrases pertaining to wind energy generating facilities, when used in the Grayson County Zoning Ordinance or in the administration thereof, shall have the following meanings ascribed to them:

Accessory Wind Facility: A wind facility comprised of a tower and wind turbine that has a wind turbine height less than one hundred (100) feet and a rated capacity less than 100KW, along with supporting equipment, the facility being an accessory use to the principal use of the property. Supporting equipment commonly includes turbines, towers, controllers, inverters, grounding systems, foundations, and energy storage systems.

Rated capacity: The maximum capacity of a wind facility based on the sum total of each turbine's nameplate capacity, which is typically specified by the manufacturer with a label on the turbine equipment.

Temporary meteorological tower (MET) or wind monitoring tower: A free-standing tower equipped with instrumentation, such as anemometers, designed

to provide real-time data pertaining to wind speed and direction, and used to assess the wind resources at a particular site.

Tower: Towers include vertical structures that support the electrical generator, rotor blades, or meteorological equipment. This includes a structure on which a wind turbine is mounted, or on which anemometers and other instrumentation are mounted in the case of MET towers.

Utility-Scale Wind Energy System: A wind facility with a rated capacity of one (1) megawatt (MW) or greater that generates electricity from wind, and consists of one (1) or more wind turbines and other accessory structures and buildings, including substations, post-construction meteorological towers, electrical infrastructure, and other appurtenant structures and facilities within the boundaries of the site. Two (2) or more wind turbines otherwise spatially separated but under common ownership or operational control, which are connected to the electrical grid under a single interconnection agreement, shall be considered a single utility-scale wind energy project.

Wind turbine: A device that converts wind energy into electricity through the use of a wind turbine generator. A wind turbine typically consists of a tower, nacelle, rotor, blades, controller and associated mechanical and electrical conversion components.

Wind turbine height: The vertical height of a wind turbine as measured from the existing grade to the highest vertical point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation.

PART II. That **Article 3, General Requirements for All Zone Districts, Section 3-14, of the Zoning Ordinance**, be amended as follows:

3-14 Renewable Energy Infrastructure. Includes Wind Energy Generating Facilities, Hydropower Systems, Solar Energy Generating Facilities, Solar Thermal Systems, and Combustion units.

The purpose of this section is to provide guidance, regulations, and standards on zoning requirements as it relates to renewable energy infrastructure in the unincorporated areas of Grayson County. Renewable Energy Infrastructure is allowed ~~in all zone districts~~ in accordance with the standards set forth in this ~~article Section~~. Unless stated otherwise, structures associated with renewable energy infrastructure require a zoning permit.

~~**Wind Turbines/Towers.** Wind turbines/towers under 100 feet in height (measured from the adjacent grade to the uppermost portion of the turbine are allowed in all zone districts with a zoning permit. Wind turbines and/or the collection of wind turbines that have rated capacity of less than 100 KW is allowed in all zone districts. Proposed towers of a greater height (over 100 ft.) and/or towers that are proposed to be luminated shall require a Special Use Permit. Permitted towers shall be located at a setback distance from any~~

adjacent property line and any public street, at the distance in feet that equals or exceeds the proposed height of the tower and wind turbine plus 25% of this distance.

~~**Solar Photovoltaic and Solar Thermal Systems.** Solar components proposed for existing roof or existing structures will not require a zoning permit. When solar is proposed for a stand-alone rack system or when a new structure is proposed, the structure or rack system will require a zoning permit and will follow the street and yard setbacks for the zone district. Solar photovoltaic and solar thermal systems with rated capacity of under 100KW or the equivalent is allowed in all zone districts. Utility scale solar power facilities will require a Special Use Permit. For the purpose of this Ordinance Utility Scale Solar are those systems with rated capacity of over 100 KW of electricity.~~

3-14.1 Hydropower Systems. Micro-hydro systems for personal use or business use are allowed in all zone districts and will not require a zoning permit. Utility and utility scale hydropower systems will require a Special Use Permit are permitted either by-right or subject to a Special Use Permit as specified within the applicable zoning districts in Article 4. For the purpose of this Ordinance Utility Scale Hydropower are those systems with rated capacity of over 100 KW of electricity. Landowners should reference state and/or federal requirements for use of the waterway when the use of the waterway is regulated by state or federal law.

3-14.2 Combustion Units. Combustion units that are located inside the principal building or those that are an accessory to a home or business are allowed in all zone districts permitted either by-right or subject to a Special Use Permit as specified within the applicable zoning districts in Article 4 when the fuel source is woody biomass, coal or agricultural in nature. Incineration units where the primary fuel is solid waste and/or other products other than woody biomass or agricultural and/or when the unit is designed for off-site, utility scale electrical generation or when proposed as part of a commercial based solid waste disposal unit, shall require a location in the Industrial District.

3-14.3 Solar Energy Generating Facilities

3-14.3.1 Applicability and Permitting. The requirements set forth in this Section shall govern the location, siting, development, construction, installation, operation and decommissioning of solar energy generating facilities in the County. Solar facilities are permitted either by-right or subject to a Special Use Permit as specified within the applicable zoning districts in Article 4. Regardless of whether uses are allowed by-right or only with a Special Use Permit, a Zoning Permit is required pursuant to Section 3-5.

3-14.3.2 Application Process. In addition to application materials required as outlined in subsection 3-14.3.3, Application Requirements, and procedural requirements as outlined in Section 5-11, Special Use Permit, all solar facilities for which a Special Use Permit is required shall be subject to the following procedural requirements:

3-14.3.2.1 Pre-Application Meeting. Prior to submission of a Special Use Permit application, a pre-application meeting shall be held with the Zoning Administrator to discuss the location, scale, and nature of the proposed use, what will be expected during that process, as well as the potential for a siting agreement, if applicable.

3-14.3.2.2 Third-Party Review. The County is authorized to hire an independent third-party consultant, and may choose to do so at their discretion, to review any Special Use Permit application and all associated documents for completeness and compliance with this section and any other state and federal codes. Any costs associated with the review shall be paid by the applicant. Any payment of such fees would in no way be a substitute of payment for any other application review fees otherwise required by the County.

3-14.3.2.3 Completeness/Compliance Review. Upon submission, the Zoning Administrator and/or a third-party reviewer shall review the application and determine whether it is complete (i.e., that all required application materials have been submitted) and compliant (i.e., that the application and proposed use meet all required regulations and standards). Based upon this review, the Zoning Administrator may determine that an application is incomplete and/or noncompliant and either reject the application or require the applicant to submit additional or revised application materials prior to proceeding to further review.

3-14.3.2.4 Neighborhood Meeting. Following application submission and at least 14 days prior to the review conducted pursuant to subsection 3-14.3.2.5, Comprehensive Plan Review, a public neighborhood meeting shall be held to give the community an opportunity to hear from the

applicant and to ask questions regarding the proposed application. The meeting shall adhere to the following requirements:

- a. The applicant shall inform the Zoning Administrator and adjacent property owners in writing of the date, time, and location of the meeting, at least 14 but no more than 21 days, in advance of the meeting date.
- b. The date, time and location of the meeting shall be advertised in a newspaper of record in the County by the applicant, at least 14 but no more than 21 days, in advance of the meeting date.
- c. The meeting shall be held within the County, at a location open to the public with adequate parking and seating facilities that will accommodate persons with disabilities.
- d. The meeting shall give members of the public the opportunity to review application materials, ask questions of the applicant, and provide feedback.
- e. The applicant shall provide the Planning Office/Department with a summary of any input received from members of the public at the meeting and copies of any written submissions from the public.

3-14.3.2.5 Comprehensive Plan Review. Pursuant to §15.2-2232., of the Code of Virginia, the Planning Commission shall consider, at a public meeting, whether the general or approximate location, character, and extent of the proposed solar facility is substantially in accord with the County's Comprehensive Plan or part thereof. The Planning Commission shall communicate its findings to the Board of Supervisors, indicating its approval or disapproval with written reasons therefor. The Board of Supervisors may overrule the action of the Planning Commission by a vote of a majority of its membership. Failure of the Planning Commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval. The owner or

owners or their agents may appeal the decision of the Planning Commission to the governing body within 10 days after the decision of the Planning Commission. The appeal shall be by written petition to the Board of Supervisors setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing. A majority vote of the Board of Supervisors shall overrule the commission.

In conducting this review, the Planning Commission may perform this review at a meeting separate from and preceding any public hearing on the Special Use Permit application. The Planning Commission may hold a public hearing as part of this review, and shall hold a public hearing if directed to do so by the Board of Supervisors.

3-14.3.2.6 Consideration of Special Use Permit by the Planning Commission and Board of Supervisors.

The Planning Commission and Board of Supervisors shall consider, review, and take action on Special Use Permit applications as specified by Section 5-11, Special Use Permit.

3-14.3.2.7 Siting Agreement. For Solar Energy Generating Facilities requiring a Special Use Permit, applicants shall enter into a siting agreement with the County, pursuant to and as authorized by Article 7.3, Siting of Solar Projects and Energy Storage Projects, of the Code of Virginia, unless this requirement is waived by the Board of Supervisors.

3-14.3.3 Application Requirements. In addition to application materials required pursuant to Section 5-11, Special Use Permit, all Special Use Permit applications for solar facilities for which a Special Use Permit is required shall include the following materials and information, to be furnished by the applicant with any costs in developing, procuring, or preparing such materials and information to be borne by the applicant:

3-14.3.3.1 Project Narrative. A detailed narrative identifying the applicant, facility owner, site owner, and operator, if known at the time of application, and describing the proposed energy facility, including

an overview of the project and its location; the project area and the area to be fenced; the current use of the site; the estimated time for construction, any phasing schedule, location of staging areas or off-site storage facilities, and proposed date for commencement of operations; the planned maximum rated capacity of the facility; the approximate number, representative types and expected footprint of equipment to be constructed, including the maximum number of photovoltaic panels; specifications for proposed equipment, including the manufacturer and model, materials, color and finish, and racking type for solar facilities; ancillary facilities; and how and where the electricity will be transmitted, including the location of the proposed electrical grid interconnection.

3-14.3.3.2 Concept Plan. A concept plan as a visual summary of the project. The concept plan shall be prepared by a professional, state-licensed engineer and shall include the following:

- a. Identification of subject parcels and property lines and/or leased portions of parcels and limits of leased areas, and fenced areas, along with areas in acreage and square feet;
- b. Identification of required setbacks;
- c. Existing and proposed buildings and structures, including identification of buildings, structures, or features to be removed or retained; preliminary locations, total area, and heights of proposed solar panels, ancillary equipment, and other proposed structures; the location of proposed fencing, driveways, internal roads, and structures; and the location of points of ingress/egress;
- d. The location and nature of proposed buffers and screening elements, including vegetative and constructed buffers, and existing landforms (i.e., natural berms, hills, rocky outcrops, etc.) intended to be used as a buffer or screening;
- e. Existing and proposed access roads, drives, turnout locations, and parking;
- f. Location of substations, electrical cabling from the facility to substations, ancillary

- equipment, buildings, and structures, including those within any applicable setback;
- g. Fencing or other methods of ensuring public safety;
 - h. Proposed lighting;
 - i. Aerial imagery showing the proposed location and boundaries of the facility, fenced areas, ingress/egress, and the closest distance to all adjacent property lines and buildings, noting their uses; and
 - j. Additional information may be required as determined by the Zoning Administrator, such as a scaled elevation view of the property and other supporting drawings, photographs of the proposed site, photo or other realistic simulations or modeling of the proposed project from potentially sensitive locations as deemed necessary by the Zoning Administrator to assess the visual impact of the project, landscaping and screening plan, coverage map, and additional information that may be necessary for a technical review of the proposal.

3-14.3.3.3 Grading Plan. A draft grading plan that limits grading to the greatest extent practicable. The Plan shall include:

- a. Existing and proposed contours;
- b. Locations and amount of topsoil to be stripped and stockpiled onsite (if any);
- c. Percent of the site to be graded;
- d. An earthwork balance achieved on-site with no import or export of soil; and
- e. Indicate natural flow patterns in drainage design and amount of impervious surface.

3-14.3.3.4 Landscape Plan. A draft landscape plan identifying:

- a. The location of existing vegetation and the limits of proposed clearing;
- b. All proposed ground cover, screening and buffering materials, landscaping, and elevations;
- c. Locations of wildlife corridors; and
- d. Landscape maintenance requirements.

3-14.3.3.5 Visual Impact Analysis. An analysis demonstrating project siting and proposed mitigation, if necessary, so that the proposed facility minimizes impacts on the visual character, viewsheds, and/or vistas of the County. At a minimum the visual impact analysis shall include accurate, to scale, photographic simulations showing the relationship of the facility and its associated equipment and development to its surroundings. The photographic simulations shall show such views of the facility from locations such as property lines, roadways, and/or scenic viewsheds/vistas as deemed necessary by the County in order to assess the visual impact of the facility. The total number of simulations and the perspectives from which they are prepared shall be established by the Zoning Administrator after the pre-application meeting. Visual representations shall be in color and shall include actual pre-construction photographs and accurate post-construction simulations of the height and breadth of the facility. All visual representations will include existing, as well as proposed buildings and tree coverage.

3-14.3.3.6 Community Impact Assessment. An assessment of the impact of the proposed facility on the immediate vicinity as well as the greater County. The assessment shall be prepared by one or more individuals or firms acting within their professional competency, shall be presented in written form, and shall analyze in specific terms the probable impact of the facility on the vicinity and community over time. Specific attention, as may be appropriate to the individual proposal, should be given but not be limited to the following elements:

- a. Consistency of the proposed facility with applicable policies contained in the County's Comprehensive Plan;
- b. Anticipated direct revenues to the county from real estate and personal property taxes;
- c. An assessment of employment opportunities to be created by the proposed development;
- d. An assessment of the short- and long-term economic impact of the proposed development;

- e. If the development is replacing an existing enterprise, including agriculture and forestry, an assessment of the impact the current enterprise has on the local economy and how the local economy will be impacted by the loss of the existing enterprise;
- f. Fire, rescue, and law enforcement requirements as compared to existing capacities and facilities;
- g. Sewer and stormwater management needs as compared to existing capacities and facilities to address:
 - i. Adequacy of existing utilities, water, sewer, public services, and public facilities in the vicinity of the development;
 - ii. Public and private improvements both offsite and onsite that are proposed for construction and a cost estimate for providing these improvements; and
 - iii. Other public and quasi-public facility and service impacts including refuse collection and disposal systems intended to serve the development.
- h. Socioeconomic changes and impacts to result from the proposed development;
- i. The costs in both capital and operating funds of providing services to the proposed development; and
- j. What efforts, if any, are proposed to mitigate the service demands or costs to the county.

The Zoning Administrator may waive certain elements of the impact assessment where the nature of the proposed facility makes such elements inapplicable.

3-14.3.3.7 Environmental Impact Assessment. An assessment of the impact of the proposed facility to include the following:

- a. A statement regarding any site and viewshed impacts, including direct and indirect impacts to national or state forests and grasslands, national or state parks, County parks, wildlife management areas, conservation easements, recreational areas, or any known historic or

cultural resources within 5 miles of the project parcels.; and

- b. An inventory of wetlands, rivers, streams, and floodplains, to be delineated and mapped, in order to provide baseline data for the evaluation of the current proposal and evaluation of the satisfactory decommissioning as required. The inventory and mapping of floodplain shall not be construed to allow development within regulatory flood plain areas without a flood plain development permit.

3-14.3.3.8 Traffic and Transportation Assessment. An assessment of the impact of the proposed facility, including construction processes, on traffic and transportation infrastructure, to include the following:

- a. The time of day that operations and construction transport activities will occur;
- b. A map showing the desired primary and secondary transportation routes for operations and construction traffic;
- c. Characteristics of operations and construction loaded vehicles, including:
 - i. Length, height, width, curb weight;
 - ii. Maximum load capacity;
 - iii. Number of axles, including trailers;
 - iv. Distance between axles and
 - v. Vehicle registration plates
- d. Haul route(s)

After review, the County may require a full traffic study to be accepted by an engineer approved by the County.

3-14.3.3.9 Decommissioning and Reclamation Plan. A draft decommissioning and reclamation plan certified by an engineer with a professional engineering license in the Commonwealth of Virginia, to include the following and demonstrating compliance with the requirements of Section 3-14.3.6.10, Decommissioning and Reclamation:

- a. The anticipated life of the project, along with the basis for determining the anticipated life of the project;
- b. The estimated decommissioning cost in current dollars;
- c. How said estimate was determined;
- d. The method of ensuring that funds will be available for decommissioning and restoration;
- e. The method that the decommissioning cost will be kept current;
- f. The manner in which the facility will be decommissioned and the site restored; and
- g. Anticipated plans for the disposal and/or recycling of project equipment and components, including the identification of disposal and/or recycling sites located in the County.

3-14.3.4 Minimum Development Standards for Solar Energy

Generating Facilities. The following minimum development standards shall apply to solar energy generating facilities, as stipulated:

3-14.3.4.1 Compliance with building codes and standards.

Solar facilities shall be designed and maintained in compliance with standards contained in applicable local, state and federal building codes and regulations that were in force at the time of the permit approval. Facilities subject to a Special Use Permit shall be constructed and maintained in substantial compliance with the approved Concept Plan.

3-14.3.4.2 Multiple uses. Small- and large-scale solar facilities may be located on parcels with other active agricultural, residential, commercial, or industrial uses.

3-14.3.4.3 Location, dimensional, and setback standards.

- a. Accessory solar facilities and small-scale solar facilities shall be subject to the applicable setbacks of the zoning district in which the facility is located.

- b. Large-scale solar facilities shall be subject to the following location, dimensional, and setback standards:
 - i. The maximum project area of a solar facility shall be 500 acres.
 - ii. The area of solar panel coverage for any single solar facility project may not exceed 65 percent of the total acreage of the project.
 - iii. Solar facilities shall not be located closer than 1 mile to any town or city boundaries, or from properties in the Rural Residence (RR), Highland/Recreation-Public (HR-P), or Shoreline Recreation (SR) zoning districts. The distance requirement from town or city boundaries may be reduced or waived as part of a Special Use Permit if the Planning Commission and Board of Supervisors receive a written statement from the applicable chief administrative official expressing no objection to the proposed location of a facility closer than 1 mile.
 - iv. No solar facility shall be located within 2 miles of another existing or permitted large-scale solar facility.
 - v. Solar facilities interconnecting to transmission lines shall be located within 2 miles of transmission line corridors.
 - vi. Solar facilities shall meet all setback requirements for primary structures for the zoning district in which the facility is located and the requirements set forth below (the more restrictive requirements shall apply).
 - vii. The minimum setback of structures and uses associated with the facility, including fencing, PV panels, parking areas, and outdoor storage, but not including landscaping and berming, shall be:
 - a. 150 feet from adjacent property lines.
 - b. 150 feet from all public rights-of-way.
 - c. 250 feet from a dwelling.

The Planning Commission may recommend and the Board of Supervisors may require increased setbacks up to 300 feet in situations where the height of structures or the topography affects the visual impact of the facility.

These setback requirements shall not apply to the internal property lines of those parcels on which a solar facility is located.

Access, erosion and stormwater structures, and interconnection to the electrical grid may be made through setback areas provided that such are generally perpendicular to the property line.

3-14.3.4.4 Height. For accessory, small-, and large-scale solar facilities, the maximum height of the lowest edge of photovoltaic panels shall be 10 feet as measured from the finished grade. The maximum height of panels, buildings, structures and other components of a solar facility shall be 15 feet, which shall be measured from the highest natural grade below each element. This limit shall not apply to utility poles, substations, or the interconnection to the overhead electric utility grid. The Board of Supervisors may approve a greater height based upon the demonstration of a significant need where the impacts of increased height are mitigated.

3-14.3.4.5 Density. Absent specific authorization by the Board of Supervisors as part of a Special Use Permit, no more than 3 percent of the land area in any given 5-mile radius shall be approved for use as the fenced area for a large-scale solar facility. Under circumstances deemed appropriate by the Board of Supervisors, the Board may approve a denser development for large-scale solar facilities, and establish the maximum density permitted for the subject solar facility.

3-14.3.4.6 Buffer and Screening. For large-scale solar facilities, such facilities, including security fencing that is not ornamental, shall be screened from the ground-level view of adjacent properties and public streets by a buffer zone at least 100' in

width. The buffer shall be located within the setbacks required under this Section and shall run around the entire perimeter of the property. The buffer shall be maintained for the life of the facility. Screening may also be required in other locations to screen specific uses or structures. A recommendation that the screening and/or buffer creation requirements be waived or altered may be made by the Planning Commission when the applicant proposes to use existing wetlands or woodlands to satisfy the screening requirement. The wetlands or woodlands shall be permanently protected as a designated buffer and the overall buffer shall measure at least 75 feet. Screening methods may include:

- a. Existing Screening: Existing vegetation, topography, buildings, open space, or other elements located on the site may be considered as part of the required screening. Existing trees and vegetation may be retained within the buffer area except where dead, diseased, or as necessary for development or to promote healthy growth.
- b. Vegetative Screening: In the event existing vegetation or landforms providing the screening are inadequate or disturbed, new plantings shall be provided in a landscaped strip at least 50 feet wide. Landscaping intended for screening shall consist of a combination of non-invasive species, pollinator species, and native plants, shrubs, trees, grasses, forbs, and wildflowers. Trees intended for screening shall consist of a combination of evergreen and deciduous trees that are 5-6 ft. in height at time of planting. A triple row of trees shall be placed on average at 15 feet on center. A list of appropriate plant materials shall be available at the Planning Office. Species listed on DCR's Invasive Plant Species list shall not be used.
- c. Berming: Berms shall generally be constructed with a 3:1 side slope to rise ratio, 4-6 ft. above the adjacent grade, with a 3 ft. wide top with appropriate pollinator-friendly native plants, shrubs, trees, forbs, and wildflowers. The outside edges of the berm shall be sculpted such that there are vertical

and horizontal undulations to give variations in appearance. When completed, the berm should not have a uniform appearance like a dike.

- d. Opaque Architectural Fencing: Fencing intended for screening shall be at least 50 percent visually solid as viewed on any line perpendicular to the fence from adjacent property or a public street. Such fencing may be used in combination with other screening methods but shall not be the primary method. A typical example is the use of wood privacy fencing and landscaping to screen structures such as substations. Depending on the location, ornamental features may be required on the fence. Fencing material shall not include plastic slats.

3-14.3.4.7 Ground Cover. For large-scale solar facilities, ground cover on the site shall be native vegetation and maintained in accordance with the landscaping plan in accordance with established performance measures. A performance bond reflecting the costs of anticipated maintenance shall be posted and maintained. Failure to maintain the ground cover shall result in revocation of the Special Use Permit and the facility's decommissioning. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.

3-14.3.4.8 Security Fencing. For large-scale solar facilities, such facilities shall be enclosed by security fencing on the interior of the buffer area (not to be seen by other properties) at a minimum of 7 feet in height and topped with razor/barbed wire, as appropriate. The height and/or location of the fence may be altered in the conditions for any particular special use permit. Fencing must be installed on the interior of the vegetative buffer. Fencing shall be placed around sections of the infrastructure (not the entire site) to provide access corridors for wildlife to navigate through the facility. All fencing shall be constructed so as to substantially lessen the likelihood of entry into a solar facility by unauthorized individuals. A performance bond reflecting the costs of

anticipated fence maintenance shall be posted and maintained. Failure to maintain the security fencing shall result in revocation of the discretionary-use Permit and the facility's decommissioning.

3-14.3.4.9 Wildlife Corridors. For large-scale solar facilities, the Applicant shall identify access corridor(s) for wildlife to navigate through and across the solar facility. The proposed wildlife corridor(s) shall be shown on the site plan submitted to the County. Areas between fencing shall be kept open to allow for the movement of migratory animals and other wildlife. Access corridors for wildlife to navigate through the solar facility shall be identified and shown on the Concept Plan submitted to the County.

3-14.3.4.10 Lighting. For large-scale solar facilities, proposed lighting fixtures as approved by the County to minimize off-site glare and shall be the minimum necessary for safety and/or security purposes. No facility shall produce glare that would constitute a nuisance to the public. Any exceptions shall be enumerated on the Concept Plan and approved by the Zoning Administrator. Lighting on the site shall comply with any Dark Skies Ordinance the Board of Supervisors may adopt or, from time to time, amend.

3-14.3.4.11 Signage. For all solar facilities, no signage of any type may be placed on the facility other than notices, warnings, and identification information required by law. Warning signage shall be placed on solar equipment to the extent appropriate or legally required. Solar equipment shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar energy project. All signs, flags, streamers, or similar items, both temporary and permanent, are prohibited on solar equipment except as follows:

- a. manufacturer's or installer's identification;
- b. appropriate warning signs and placards;
- c. signs that may be required by a federal or state agency; and

- d. signs that provide a 24-hour emergency contact phone number and warn of any danger. Educational signs providing information about the project and benefits of renewable energy may be allowed as provided in the local sign ordinance.

3-14.3.4.12 Transmission Lines. Any new electrical transmission lines associated with a solar facility may be located either above or below ground in a manner to be least intrusive and mitigate their impact to surrounding properties.

3-14.3.6 Construction, Operational, and Decommissioning Requirements for Solar Energy Generating Facilities. The following requirements shall be met during the construction phase and/or throughout the operational life of solar facilities subject to a Special Use Permit:

3-14.3.6.1 Noise/Sound. Audible sound from solar facilities shall not exceed sixty (60) decibels, as measured from any adjacent non-participating landowners' property line. This level may be exceeded during short-term exceptional circumstances, such as severe weather. The owner or operator of a solar facility shall measure and document, on a continuing basis, which shall not be less frequent than annually, or upon request by the County, that noise levels comply with the decibel limit established herein; any violation will constitute a zoning violation.

3-14.3.6.2 Groundwater Monitoring. Ground water monitoring to assess the level of groundwater contamination shall take place prior to, and upon completion of construction of a project, throughout the area of the facility. Ground water monitoring shall take place every five years of the operation of the facility, and upon completion of decommissioning. Results from said monitoring shall be delivered to the County.

3-14.3.6.3 Coordination of Local Emergency Services; Emergency Response Plan. Prior to completion of construction, the owner or operator of a facility shall coordinate with the County's emergency services to provide materials, education, and/or training on how to safely respond to on-site

emergencies, and to develop, implement and periodically update, including exercising of, an emergency response plan. Emergency personnel will be given a key or code to access the property in case of an on-site emergency.

3-14.3.6.4 Monitoring and Maintenance. The owner or operator shall maintain the solar facility in good condition. Such monitoring and maintenance shall include, but not be limited to, painting, evaluating the structural integrity of equipment, foundations, structures, fencing and security barriers, as applicable, maintenance of the buffer areas, and landscaping. Site access shall be maintained to a level acceptable to the County. The project owner shall be responsible for the cost of maintaining the facility and access roads, and the cost of repairing damage to private roads occurring as a result of construction and operation. Failure to maintain the Solar Facility may result in revocation of the Special Use Permit and the facility's decommissioning.

3-14.3.6.5 Liability Insurance. The owner or operator of a facility shall provide to the Zoning Administrator written evidence of liability insurance in an amount acceptable to the purchasing utility provider prior to beginning construction and before the issuance of a zoning permit.

3-14.3.6.6 Damaged Panels; Storage. All physically damaged panels or any portion or debris thereof shall be collected by the facility operator and removed from the site or stored on site in a location protected from weather and wildlife and from any contact with ground or water until removal from the site can be arranged; storage of damaged panels or portion or debris thereof shall not exceed thirty (30) days beyond any required period for insurance, warranty claim or in event of force majeure, for which reasonable documentation shall be submitted to and approved by the Zoning Administrator. For the purposes of the foregoing, force majeure shall be defined to include strikes, lockouts or other labor disturbances, inability to secure labor or materials in the open market, acts of God or other element

of nature or accidents, delays or conditions arising from or relating to acts of war, domestic or international terrorism, pandemic, civil disturbances or riots, or any other matter or condition that is beyond the reasonable anticipation and control of the Applicant.

3-14.3.6.7 Compliance with Local, State, and Federal Requirements. During the term of issued Special Use Permits, operation of facilities shall fully comply with all applicable local regulations, as well as all applicable state and federal regulations, including but not limited to, the U.S. Environmental Protection Agency (EPA), Federal Aviation Administration (“FAA”), State Corporation Commission (“SCC”) or equivalent, any state departments related to environmental quality, parks, and wildlife protection, as well as all the applicable regulations of any other agencies that were in force at the time of the permit approval.

3-14.3.6.8 Inspections.

- a. The applicant, owner, or operator will allow designated County representatives or employees access to a facility for inspection purposes. The County representative or employee will provide the facility operator with 24-hour notice prior to such inspection when practicable.
- b. The applicant or owner of a facility shall reimburse the County its costs in obtaining an independent third-party to conduct inspections required by local and state laws and regulations.

3-14.3.6.9 Change in Ownership. Notice of any change of ownership of the facility shall be provided to the County within ten (10) working days of any such change.

3-14.3.6.10 Decommissioning and Reclamation.

- a. Solar facilities which have reached the end of their useful life or have not been in active and continuous service for a period of 6 months

shall be removed at the owner's or operator's expense, except if the project is being repowered or a force majeure event has or is occurring requiring longer repairs; however, the County may require evidentiary support that a longer repair period is necessary.

- b. The owner or operator shall notify the Zoning Administrator by certified mail of the proposed date of discontinued operations and plans for removal.
- c. Decommissioning shall be performed in compliance with an approved Decommissioning Plan, which must be submitted for approval by the Board of Supervisors prior to the issuance of a Zoning Permit. The draft Decommissioning Plan and the final Decommissioning Plan must demonstrate compliance with the requirements of this section. The Board of Supervisors may approve any appropriate amendments to or modifications of the Decommissioning Plan.
- d. Decommissioning shall include removal of all electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated facilities, so that any agricultural ground upon which the facility and/or system was located is again tillable and suitable for agricultural uses. The site shall be graded and re-seeded to restore it to as natural a condition as possible, unless the landowner requests in writing that the access roads or other land surface areas not be restored, and this request is approved by the Board of Supervisors (other conditions might be more beneficial or desirable at that time).
- e. The site shall be re-graded and re-seeded to as natural condition as possible within 12 months of removal of facilities. Re-grading and re-seeding shall be initiated within a 6-month period of removal of equipment.

- f. Any exception to site restoration, such as leaving driveways, entrances, or landscaping in place, or substituting plantings, shall be requested by the landowner in writing, and this request must be approved by the Zoning Administrator.
- g. Hazardous material from the property shall be disposed of in accordance with federal and state law.
- h. The estimated cost of decommissioning shall be guaranteed by the deposit of funds in an amount equal to the estimated cost in an escrow account at a federally insured financial institution approved by the County.
 - i. The applicant shall deposit the required amount into the approved escrow account before any building permit is issued to allow construction of the solar facility.
 - ii. The escrow account agreement shall prohibit the release of the escrow funds without the written consent of the County. The County shall consent to the release of the escrow funds upon the owner's or occupant's compliance with the approved decommissioning plan. The County may approve the partial release of escrow funds as portions of the approved decommissioning plan are performed.
 - iii. The amount of funds required to be deposited in the escrow account shall be the full amount of the estimated decommissioning cost without regard to the possibility of salvage value, plus 10%.
 - iv. The owner or occupant shall recalculate the estimated cost of decommissioning every five years. If the recalculated estimated cost of decommissioning exceeds the original estimated cost of decommissioning by ten percent (10%), then the owner or occupant shall deposit additional funds into the escrow account to meet the new cost estimate. If the recalculated estimated cost of decommissioning is less than ninety

- percent (90%) of the original estimated cost of decommissioning, then the County may approve reducing the amount of the escrow account to the recalculated estimate of decommissioning cost.
- v. The County may approve alternative methods to secure the availability of funds to pay for the decommissioning of a utility-scale solar facility, such as a performance bond, letter of credit, or other security approved by the County.
 - vi. If the owner or operator of the solar facility fails to remove the installation in accordance with the requirements of this permit or within the proposed date of decommissioning, the County may collect the surety and the County or hired third party may enter the property to physically remove the installation.

3-14.4 Wind Energy Generating Facilities. Accessory wind facilities that are accessory to a principal use of a property are permitted either by-right or subject to a Special Use Permit as specified within the applicable zoning districts in Article 4. Utility-scale wind energy systems, or any wind energy generating facility constituting a principal use of property, are prohibited in all zoning districts.

PART III. That **Article 3, General Requirements for All Zone Districts, Sections 3-15 and 3-15.1, of the Zoning Ordinance**, be amended as follows:

By renaming Section 3-15 as “Communication Tower & Antenna Regulations,” and further amending as follows:

3-15 Communication Tower & Antenna Regulations. The purpose of this section is to establish general guidelines for the siting of communication towers and antennas. The goals of this section include; encouraging the towers in non-residential areas when possible, minimizing the total number of towers by providing adequate service through co-location where possible and to site the towers in ways that minimize negative visual impacts to the community. Proposed towers of greater height (over 100ft) and/or towers that are proposed to be illuminated shall require a Special Use Permit. Permitted towers shall be located at a setback distance from any adjacent property line and any public street, at a distance in feet that equals or exceeds the proposed height of the communications tower plus 25% of this distance.

3-15.1 Applicability. This section shall only apply to towers and antennas that are installed at heights greater than fifty (50) feet. Towers used for wind turbines

shall be governed by **Article 3-14** and are not subject to and are exempt from this section.

The purpose of this section is for communications towers, albeit when other towers over fifty (50) feet are proposed applicable sections shall apply.

The placement of an antenna on (or in) an existing structure or existing tower or pole shall be allowed by right, when the additional height of the tower on the existing structure does not exceed an additional twenty (20) feet or more and the addition can meet Building Code Requirements.

Any tower structure or addition to a structure that may require FAA lighting will adhere to the requirements in this section.

PART IV. That **Article 4, Zone Districts and Official Zoning Map, of the Zoning Ordinance**, be amended as follows:

By deleting all references to “Renewable Energy Infrastructure in accordance with Article 3.14” as contained in the lists of Uses Permitted for the Rural Farm District (RF), Rural Residential (RR), Commercial District (C), and Industrial (I) District (IND) zoning districts;

By adding “Accessory Solar Facilities in accordance with Section 3.14,” “Accessory Wind Facilities in accordance with Section 3.14,” “Combustion Units in accordance with Section 3.14,” and “Micro-hydro systems in accordance with Section 3.14” in the lists of Uses Permitted for the Rural Farm District (RF), Rural Residential (RR), Commercial District (C), Industrial (I) District (IND), and Service District (SD) zoning districts, such uses to be inserted in customary alphabetical order with alphabetizing and re-alphabetizing of subsections as necessary;

By adding “Small-Scale Solar Facilities in accordance with Section 3.14” in the lists of Uses Permitted for the Rural Farm District (RF) and Industrial (I) District (IND) zoning districts, such use to be inserted in customary alphabetical order with alphabetizing and re-alphabetizing of subsections as necessary;

By adding “Large-Scale Solar Energy Facilities in accordance with Section 3.14” and “Utility scale hydropower systems in accordance with Section 3.14” in the lists of Special Uses Permitted for the Rural Farm District (RF) and Industrial (I) District (IND) zoning districts, such uses to be inserted in customary alphabetical order with alphabetizing and re-alphabetizing of subsections as necessary; and

PART V. That **Section 5-11, Special Use Permit, of Article 5, Administration of Zoning Ordinance, of the Zoning Ordinance**, be amended as follows:

5-11 Special Use Permit. (sometimes referred to as conditional use permits). The Zoning District regulations (**See Article 4- Zone District**) delineate a number of uses that are allowed by right. Those uses that require another level of review to ensure that the health, safety and welfare of the public can be met, are listed

as Special Uses for the Zone District. When a Special Use is listed for the zone district a Special Use Permit application can be submitted. To apply for a Special Use Permit;

- 1) Consult with the Zoning Administrator for submittal of the application and fees, including any use-specific application requirements.
- 2) A date and time for the next available Planning Commission meeting will be scheduled to ensure that the public hearing notice requirements can be met.
- 3) The Planning Commission will review the application, hold a public hearing and make a recommendation to the Board of Supervisors.
- 4) The Board of Supervisors will review the application, hold a public hearing and issue a determination regarding the Special Use Permit application.

The Planning Commission, in considering its recommendation, and the Board of Supervisors, in considering its action, will take into account whether the proposed Special Use Permit as submitted, or as modified, is detrimental to or has undue adverse impacts on the public's general health, safety, and welfare, and is consistent with the County's Comprehensive Plan or to specific elements of such plan, and to official policies adopted in relation thereto, including the purposes and standards of the Zoning Ordinance. Conditions may be imposed upon individual Special Use Permits to mitigate potential or anticipated negative impacts and/or to ensure consistency with the Comprehensive Plan or specific elements thereof, and the purposes and standards for the Zoning Ordinance.

The Special Use Permit, when granted by the Board of Supervisors, will be based on the site plan and application materials submitted by the applicant, and subject to any conditions imposed thereon. Should the applicant choose to amend or change any aspect of the original application, ~~or~~ site plan, or conditions, the applicant can apply for an amendment to the Special Use Permit by following the procedure listed above.

Special Use Permits are granted to the tax map number(s) identified in the original application, and approval will remain with the land as long as the use (use listed with the original application) is valid, regardless of property ownership.

PART VI. This ordinance shall be effective immediately. The Zoning Code of Grayson County, Virginia shall be revised as set forth herein, subject to Article, Section, and Subsection titles and numbers amendment by the Editor as necessary for consistency. Should any section or provision of this ordinance be decided by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or of the Zoning Ordinance of Grayson County.

Adopted this day 13th day of June 2024 in the County of Grayson, Virginia

By: _____

R. Brantley Ivey, Chair
Grayson County Board of Supervisors

Attest: _____

Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Grayson County Board of Supervisors on the foregoing Ordinance, duly adopted upon a roll-call vote at a public meeting held on June 13th, 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

Grayson County

Grayson County
Board of Supervisors



Commonwealth
of Virginia

RESOLUTION

RECOMMENDING SMART SCALE ROUND 6 TRANSPORTATION PROJECT AT ROUTE 89 AND MT. VALE ROAD RIGHT-TURN LANE IMPROVEMENT PROJECT COMPREHENSIVE PLAN AMENDMENT

WHEREAS, under Section 15.2-2229 of the Virginia Code, the Grayson County Board of Supervisors may consider amendments to the Comprehensive Plan; and

WHEREAS, Section 15.2-2230 of the Virginia Code requires a review of the Comprehensive Plan every five years to determine whether it needs to be amended; and

WHEREAS, due to VTrans identifying a potential safety improvement for Grayson County at Route 89 and Route 618, there is a need to update the Comprehensive Plan; and

WHEREAS, on April 11, 2024, the Grayson County Board of Supervisors initiated a resolution of support of Virginia's Smart Scale project; and

WHEREAS, the intent is to include Route 89 Skyline Highway at Route 618 Mt. Vale Road right turn lane improvement with a storage length of 200' and a taper length of 200'. All shoulders in the project extent will be constructed to have a minimum of 4' paved shoulder width, with the installation of a guardrail adjacent to the right-turn lane; and

WHEREAS, the Grayson County Board of Supervisors finds that this amendment guides and accomplishes a coordinated, adjusted, and harmonious development of the territory, which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants, including the elderly and persons with disabilities;

NOW, THEREFORE, BE IT RESOLVED THAT the Grayson County Planning Commission does hereby recommend that the Grayson County Board of Supervisors adopt Comprehensive Plan Amendment, Round 6, Smart Scale Transportation Amendment for Route 89 at Mt. Vale Road Right Turn Lane Improvement project.

Adopted this day 13th day of June 2024 in the County of Grayson, Virginia

By: _____

R. Brantley Ivey, Chair
Grayson County Board of Supervisors

Attest: _____

Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Grayson County Board of Supervisors on the foregoing Resolution, duly adopted upon a roll-call vote at a public meeting held on June 13th 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				



PRELIMINARY

THESE PLANS ARE UNFINISHED AND UNAPPROVED AND ARE NOT TO BE USED FOR ANY TYPE OF CONSTRUCTION OR THE ACQUISITION OF RIGHT OF WAY

LEGEND

- EXISTING R/W
- PROPOSED R/W
- PROPOSED TEMPORARY CONSTRUCTION EASEMENT

SCALE



VIRGINIA DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	VDOT DISTRICT
RT 89	GRAYSON	BRISTOL

ROUTE 89 AND MT VALE RD

Grayson County

Grayson County
Board of Supervisors



Commonwealth
of Virginia

ORDINANCE OF THE COUNTY OF GRAYSON, VIRGINIA EROSION AND SEDIMENT CONTROL PROGRAM

Section 1.1. TITLE, PURPOSE, AND AUTHORITY

- A. This ordinance shall be known as the 'Erosion and Sediment Control Ordinance of **Grayson County.**' The purpose of this ordinance is to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources of the **County of Grayson** by establishing requirements for the effective control of soil erosion, sediment deposition and non-agricultural runoff and by establishing procedures whereby these requirements shall be administered and enforced.
- B. This ordinance is authorized by § 62.1-44.15:54 of the Code of Virginia.

Section 1.2. DEFINITIONS

The following words and terms, when used in this ordinance, shall have the following meanings unless the context clearly indicates otherwise.

"Agreement in lieu of a plan" means a contract between the **VESCP authority** and the owner that specifies conservation measures that must be implemented to comply with the requirements of this ordinance for the construction of a (i) single-family detached

residential structure or (ii) farm building or structure on a parcel of land with a total impervious cover percentage, including the impervious cover from the farm building or structure to be constructed, of less than five percent; this contract may be executed by the **VESCP authority** in lieu of formal site plan.

"Applicant" means any person submitting an erosion and sediment control plan for approval in order to obtain authorization for land-disturbing activities to commence.

"Board" means the State Water Control Board.

"Certified inspector for ESC" means an employee or agent of the VESCP authority who (i) holds a certificate of competence from the department in the area of project inspection or (ii) is enrolled in the department's training program for project inspection and successfully completes such program within one year after enrollment.

"Certified plan reviewer for ESC" means an employee or agent of the VESCP authority who (i) holds a certificate of competence from the department in the area of plan review, (ii) is enrolled in the department's training program for plan review and successfully completes such program within one year after enrollment, or (iii) is licensed as a professional engineer, architect, landscape architect, land surveyor pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia, or professional soil scientist as defined in § 54.1-2200.

"Certified program administrator for ESC" means an employee or agent of the VESCP authority who holds a certification from the department in the classification of program administrator or (ii) is enrolled in the department's training program for program administration and successfully completes such program within one year after enrollment.

"Clearing" means any activity which removes the vegetative ground cover including, root mat removal or topsoil removal.

"County" means the County of **Grayson**.

"Department" means the Virginia Department of Environmental Quality.

"District" or "Soil and Water Conservation District" refers to the **New River** Soil and Water Conservation District.

"Erosion and sediment control plan" or "plan" means a document containing material for the conservation of soil and water resources of a unit or group of units of land. It may include appropriate maps, an appropriate soil and water plan inventory and management information with needed interpretations, and a record of decisions contributing to conservation treatment. The plan shall contain all major conservation decisions to ensure that the entire unit or units of land will be so treated to achieve the conservation objectives.

"Erosion impact area" means an area of land that is not associated with a current land-disturbing activity but is subject to persistent soil erosion resulting in the delivery of sediment onto neighboring properties or into state waters. This definition shall not apply to any lot or parcel of land of 10,000 square feet or less used for residential purposes.

"Farm building or structure" means the same as that term is defined in § 36-97 of the Code of Virginia and also includes any building or structure used for agritourism activity, as defined in § 3.2-6400, and any related impervious surfaces including roads, driveways, and parking areas.

"Excavating" means any digging, scooping or other methods of removing earth materials.

"Filling" means any depositing or stockpiling of earth materials.

"Grading" means any excavating or filling of earth material or any combination thereof, including the land in its excavated or filled conditions.

"Land disturbance" or "land-disturbing activity" means a man-made change to the land surface that may result in soil erosion or has the potential to change its runoff characteristics, including the clearing, grading, excavating, transporting, and filling of land.

"Land-disturbing permit or approval" means a permit or an approval allowing a land-disturbing activity to commence issued by **VESCP authority** after the requirements of § 62.1-44.15:55 of the Code of Virginia have been met.

"Natural channel design concepts" means the utilization of engineering analysis and fluvial geomorphic processes to create, rehabilitate, restore, or stabilize an open conveyance system for the purpose of creating or recreating a stream that conveys its bankfull storm event within its banks and allows larger flows to access its bankfull bench and its floodplain.

"Owner" means the same as provided in § 62.1-44.3 of the Code of Virginia. For a land-disturbing activity that is regulated under Article 2.4 (§ 62.1-44.15:51 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia and this ordinance, "owner" also includes the owner or owners of the freehold of the premises or lesser estate therein, mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, or other person, firm, or corporation in control of a property.

"Peak flow rate" means the maximum instantaneous flow from a prescribed design storm at a particular location.

"Percent impervious" means the impervious area within the site divided by the area of the site multiplied by 100.

"Permittee" means the person to whom the permit is issued.

"Person" means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town, or other political subdivision of the Commonwealth, governmental body, including a federal or state entity as applicable, any interstate body, or any other legal entity.

"Responsible Land Disturber" or "RLD" means an individual holding a certificate issued by the department who is responsible for carrying out the land-disturbing activity in accordance with the approved erosion and sediment control plan. The RLD may be the owner, applicant, permittee, designer, superintendent, project manager, contractor, or any other project or development team member. The RLD must be designated on the erosion and sediment control plan or permit as defined in the Virginia Erosion and Stormwater Management Regulation (9VAC25-875) as a prerequisite for engaging in land disturbance. The RLD must be designated on the erosion and sediment control plan or permit as defined in this ordinance as a prerequisite for engaging in land disturbance.

"Runoff volume" means the volume of water that runs off the land development project from a prescribed storm event.

"Single-family detached residential structure" means a noncommercial dwelling that is occupied exclusively by one family.

"State waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

"Transporting" means any moving of earth materials from one place to another place other than such movement incidental to grading when such movement results in destroying the vegetative ground cover either by tracking or the buildup of earth materials to the extent that erosion and sedimentation will result from the soil or earth materials over which such transporting occurs.

"Town" means the incorporated town of **Independence, Fries, and Troutdale**.

"Virginia Erosion and Sediment Control Program" or "VESCP" means a program approved by the department that is established by a VESCP authority for the effective control of soil erosion, sediment deposition, and nonagricultural runoff associated with a land-disturbing activity to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources and shall include such items where applicable as local ordinances, rules, policies and guidelines, technical materials, and requirements for plan review, inspection, and evaluation consistent with the requirements of the Erosion and Sediment Control Law (ESCL).

"Virginia Erosion and Sediment Control Program authority" or "VESCP authority," for purposes of this ordinance, means **the County of Grayson** that has been approved by the department to operate a Virginia Erosion and Sediment Control Program in accordance with Article 2.4 (§ 62.1-44.15:51 et seq.) of Chapter 3.1, the State Water Control Law, of Title 62.1 of the Code of Virginia.

"VESCP plan-approving authority" means the **Grayson County Erosion and Sediment Control Program Administrator** is responsible for determining the adequacy of a plan submitted for land-disturbing activities on a unit or units of lands and for approving plans.

"VPDES Permit" means a General VPDES (Virginia Pollutant Discharge Elimination System) Permit for Discharges of Stormwater from Construction Activities, 9VAC25-880, issued by the department pursuant to § 62.1-44.15 of the Code of Virginia for stormwater discharges from a land-disturbing activity.

Section 1.3. LOCAL EROSION AND SEDIMENT CONTROL PROGRAM

Pursuant to § 62.1-44.15:54 of the Code of Virginia, the **VESCP authority** hereby establishes a Virginia Erosion and Sediment Control Program (VESCP) and adopts the regulations promulgated by the Board (for the effective control of soil erosion and sediment deposition to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources)

- A. For plans approved on and after July 1, 2014, the flow rate capacity and velocity requirements for natural and man-made channels shall be satisfied by compliance with water quantity requirements specified 9VAC25-875-600, unless such land-disturbing activities are in accordance with the grandfathering provisions of 9VAC25-875-490.
- B. Pursuant to § 62.1-44.15:53 of the Code of Virginia, an erosion control plan shall not be approved until it is reviewed by a certified plan reviewer for ESC. Inspections of land-disturbing activities shall be conducted by a certified inspector for ESC. The Erosion and Sediment Control Program of **Grayson County** shall contain a certified program administrator for ESC, a certified plan reviewer for ESC, and a certified inspector for ESC (who may be the same person.)
- C. **Grayson County** hereby designates the **Erosion and Sediment Control Program Administrator** as the VESCP plan-approving authority.
- D. The program and regulations provided for in this ordinance shall be made available for public inspection at the office of the **Department of Planning and Community Development**.

Section 1.4. REGULATED LAND-DISTURBING ACTIVITIES

- A. Land-disturbing activities that meet one of the criteria below are regulated as follows:
 - 1. [Land-disturbing activity that disturbs [10,000] square feet or more, is less than one acre, not in an area of a locality designated as a Chesapeake Bay Preservation Area, and not part of a common plan of development or sale, is subject to criteria defined in Article 2 (9VAC25-875-540 et seq.) of Part V of the Virginia Erosion and Stormwater Management Regulation (Regulation).]

Section 1.5. ACTIVITIES NOT REQUIRED TO COMPLY WITH THE ESCL

- A. Notwithstanding any other provisions of the Erosion and Sediment Control Law

for Localities Not Administering a Virginia Erosion and Stormwater Management Program (ESCL), the following activities are not required to comply with the ESCL unless otherwise required by federal law:

1. Disturbance of a land area of less than 10,000 square feet in size.
2. Minor land-disturbing activities such as home gardens and individual home landscaping, repairs, and maintenance work;
3. Installation, maintenance, or repair of any individual service connection;
4. Installation, maintenance, or repair of any underground utility line when such activity occurs on an existing hard surfaced road, street, or sidewalk, provided the land-disturbing activity is confined to the area of the road, street, or sidewalk that is hard surfaced;
5. Installation, maintenance, or repair of any septic tank line or drainage field unless included in an overall plan for land-disturbing activity relating to construction of the building to be served by the septic tank system;
6. Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted pursuant to Title 45.2 of the Code of Virginia;
7. Clearing of lands specifically for bona fide agricultural purposes; the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops; livestock feedlot operations; agricultural engineering operations, including construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; or as additionally set forth by the board in regulations. However, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (§ 10.1-1100 et seq.) of Title 10.1 of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in subsection B of § 10.1-1163 of the Code of Virginia;
8. Installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;
9. Shoreline erosion control projects on tidal waters when all of the land-disturbing activities are within the regulatory authority of and approved by local wetlands boards, the Virginia Marine Resources Commission, or the United States Army Corps of Engineers; however, any associated land that is disturbed

outside of this exempted area shall remain subject to the ESCL and the regulations adopted pursuant thereto;

10. Land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the VESCP authority shall be advised of the disturbance within seven days of commencing the land-disturbing activity, and compliance with the administrative requirements of subsections 1.6, 1.7 and 1.8 of this ordinance are required within 30 days of commencing the land-disturbing activity;
11. Discharges to a sanitary sewer or a combined sewer system that are not from a land-disturbing activity; and
12. Repair or rebuilding of the tracks, rights-of-way, bridges, communication facilities, and other related structures and facilities of a railroad company.

Section 1.6. SUBMISSION AND APPROVAL OF PLANS; CONTENTS OF PLANS

- A. Except as provided herein, no person may engage in any regulated land-disturbing activity until he or she has submitted to the **VESCP authority** an erosion and sediment control plan for the regulated land-disturbing activity and such plan has been approved by the **VESCP authority**. No approval to begin a land disturbing activity will be issued unless evidence of VPDES permit coverage is obtained where it is required.

Where the land-disturbing activity results from the construction of a (i) single-family detached residential structure or (ii) farm building or structure on a parcel of land with a total impervious cover percentage, including the impervious cover from the farm building or structure to be constructed, of less than five percent, an agreement in lieu of a plan may be substituted for an erosion and sediment control plan if executed by the VESCP plan-approving authority.

- B. The standards contained within the "Virginia Erosion and Stormwater Management Regulation (9VAC25-875)" the Virginia Stormwater Management Handbook, as amended and any local handbook or publication are to be used by the applicant when making a submittal under the provisions of this ordinance and in the preparation of an erosion and sediment control plan. The VESCP plan-approving authority, in considering the adequacy of a submitted plan, shall be guided by the same standards, regulations and guidelines. When the standards vary between the publications, the Virginia Erosion and Stormwater Management Regulation shall take precedence.

- C. The VESCP plan-approving authority shall review erosion and sediment control plans submitted to it and grant written approval within 60 days of the receipt of the plan if it determines that the plan meets the requirements of the Erosion and Sediment Control Law for Localities not Administering a Virginia Erosion and Stormwater Management Program and 9VAC25-875, and if the person responsible for carrying out the plan certifies that he or she will properly perform the erosion and sediment control measures included in the plan and will comply with the provisions of this ordinance. In addition, as a prerequisite to engaging in the land-disturbing activities shown on the approved plan, the person responsible for carrying out the plan shall provide the name of the responsible land disturber to the VESCP authority, as required by 9VAC25-875-300 and 9VAC25-875-550, who will be in charge of and responsible for carrying out the land-disturbing activity. Failure to provide the name of the responsible land disturber, prior to engaging in land-disturbing activities may result in revocation of the approval of the plan and the person responsible for carrying out the plan shall be subject to the penalties provided in this ordinance.

However, the VESCP plan-approving authority may waive the Responsible Land Disturber certificate requirement for an agreement in lieu of a plan for construction of a single-family detached residential structure. If a violation occurs during the land-disturbing activity associated with the construction of the single-family detached residential structure, then the person responsible for carrying out the agreement in lieu of a plan shall correct the violation and provide the name of the responsible land disturber to the VESCP authority.

Failure to provide the name of the responsible land disturber shall be a violation of this ordinance.

- D. When the plan is determined to be inadequate, written notice of disapproval stating the specific reasons for disapproval shall be communicated to the applicant within 45 days. The notice shall specify such modifications, terms and conditions that will permit approval of the plan. If no action is taken within 45 days, the plan shall be deemed approved and the person authorized to proceed with the proposed activity.
- E. The **VESCP authority** shall act on any erosion and sediment control plan that has been previously disapproved within 45 days after the plan has been revised, resubmitted for approval, and deemed adequate.
- F. The **VESCP authority** may require changes to an approved plan when:
1. The inspection reveals that the plan is inadequate to satisfy applicable regulations; or
 2. The person responsible for carrying out the plan finds that because of changed circumstances or for other reasons the approved plan cannot be

effectively carried out, and proposed amendments to the plan, consistent with the requirements of this ordinance, are agreed to by the VESCP plan-approving authority and the person responsible for carrying out the plans.

- G. Variances: The VESCP plan-approving authority may waive or modify any of the standards that are deemed to be inappropriate or too restrictive for site conditions, by granting a variance. A variance may be granted under these conditions:
1. At the time of plan submission, an applicant may request a variance to become part of the approved erosion and sediment control plan. The applicant shall explain the reasons for requesting variances in writing. Specific variances which are allowed by the VESCP plan-approving authority shall be documented in the plan.
 2. During construction, the person responsible for implementing the approved plan may request a variance in writing from the VESCP plan-approving authority. The VESCP plan-approving authority shall respond in writing either approving or disapproving such a request. If the VESCP plan-approving authority does not approve a variance within 10 days of receipt of the request, the request shall be considered to be disapproved. Following disapproval, the applicant may resubmit a variance request with additional documentation.
 3. The **VESCP authority** shall consider variance requests judiciously, keeping in mind both the need of the applicant to maximize cost effectiveness and the need to protect off-site properties and resources from damage.
- H. In order to prevent further erosion, the **VESCP authority** may require approval of a plan for any land identified in the local program as an erosion impact area.
- I. When a land-disturbing activity will be required of a contractor performing construction work pursuant to a construction contract, the preparation, submission, and approval of an erosion and sediment control plan shall be the responsibility of the owner.
- J. As an alternative to submitting soil erosion control and stormwater management plans pursuant to § 62.1-44.15:34 of the Code of Virginia to the **VESCP authority**, any person engaging in more than one jurisdiction in the creation and operation of a wetland mitigation or stream restoration bank that has been approved and is operated in accordance with applicable federal and state guidance, laws, or regulations for the establishment, use, and operation of (i) a wetlands mitigation or stream restoration bank, pursuant to a mitigation banking instrument signed by the Department, the Marine Resources Commission, or the U.S. Army Corps of

Engineers, or (ii) a stream restoration project for purposes of reducing nutrients or sediment entering state waters may submit standards and specifications for Department approval that describe how land-disturbing activities shall be conducted.

Section 1.7. EROSION AND SEDIMENT CONTROL PLAN; CONTENTS OF PLANS

- A. An erosion and sediment control plan shall be filed for a development and the buildings constructed within, regardless of the phasing of construction. The erosion and sediment control plan shall be consistent with the criteria, techniques, and methods in 9VAC25- 875-560. The erosion and sediment control plan shall contain all major conservation decisions to ensure that the entire unit or units of land will be so treated to achieve the conservation objectives in 9VAC25-875-560. The erosion and sediment control plan may include:
 1. Appropriate maps;
 2. An appropriate soil and water plan inventory and management information with needed interpretations; and
 3. A record of decisions contributing to conservation treatment.
- B. The person responsible for carrying out the plan shall provide the name of an individual holding a certificate who will be in charge of and responsible for carrying out the land- disturbing activity to the VESMP authority. [Note: The VESMP authority may waive the Responsible Land Disturber certificate requirement for an agreement in lieu of a plan in accordance with § 62.1-44.15:34 or § 62.1-44.15:55 of the Code of Virginia.]
- C. If individual lots or sections in a residential development are being developed by different property owners, all land-disturbing activities related to the building construction shall be covered by an erosion and sediment control plan **or an "Agreement in Lieu of a Plan" signed by the property owner.**
- D. Land-disturbing activity of less than 10,000 square feet on individual lots in a residential development shall not be considered exempt from the provisions of the VESMA, ESCL, or this ordinance if the total land-disturbing activity in the development is equal to or greater than 10,000 square feet.

Section 1.8. PERMITS; FEES; SECURITY FOR PERFORMANCE

- A. Agencies authorized under any other law to issue grading, building, or other permits for activities involving land-disturbing activities shall not issue any such permit unless the applicant submits with his application an approved erosion and sediment control plan, certification that the plan will be followed and evidence of VPDES permit coverage where it is required.
- B. No person may engage in any land-disturbing activity until he or she has acquired a land-disturbing permit (unless the proposed land-disturbing activity is specifically exempt from the provisions of this ordinance), has paid the fees and has posted the required bond.
- C. An administrative fee of **\$100.00 plus \$15.00 per acre** shall be paid to **the VESCP authority** at the time of submission of the erosion and sediment control plan.
- D. No land-disturbing permit shall be issued until the applicant submits with his or her application an approved erosion and sediment control plan [or agreement in lieu of an approved erosion and sediment control plan] and certification that the plan will be followed.
- E. All applicants for permits shall provide to the **County of Grayson** a performance bond with surety, cash escrow, or an irrevocable letter of credit acceptable to the VESCP authority to ensure that measures could be taken by the **County of Grayson** at the applicant's expense should the applicant fail, after proper notice, within the time specified to initiate or maintain appropriate conservation measures required of him or her by the approved plan as a result of his land-disturbing activity.

The amount of the bond or other security for performance shall not exceed the total of the estimated cost to initiate and maintain appropriate conservation action based on unit price for new public or private sector construction in the locality and a reasonable allowance for estimated administrative costs and inflation which shall not exceed twenty-five percent of the cost of the conservation action. Should it be necessary for the **VESCP authority** to take such conservation action, the **VESCP authority** may collect from the applicant any costs in excess of the amount of the surety held. Within sixty (60) days of adequate stabilization, as determined by Erosion and Sediment Control Program Administrator in any project or section of a project, such bond, cash escrow or letter of credit, or the unexpended or unobligated portion thereof, shall be either refunded to the applicant or terminated, based upon the percentage of stabilization accomplished in the project or project section. These requirements are in addition to all other provisions

relating to the issuance of permits and are not intended to otherwise affect the requirements for such permits.

Section 1.9. MONITORING, REPORTS, AND INSPECTIONS

- A. The responsible land disturber, as provided by § 62.1-44.15:52, shall be in charge of and responsible for carrying out the land-disturbing activity and provide for periodic inspections of the land-disturbing activity. The person responsible for carrying out the plan shall monitor the land-disturbing activity. The person responsible for carrying out the plan will maintain records of these inspections and maintenance, to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation.
- B. The **Erosion and Sediment Control Inspector or his designee** shall periodically inspect the land-disturbing activity in accordance with 9VAC25-875-330 to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation. The Erosion and Sediment Control Inspector or his designee shall be granted the right of entry onto properties to inspect and determine compliance with this chapter. The owner, permittee, or person responsible for carrying out the plan shall be given notice of the inspection and shall such inspection in accordance with § 62.1-44.15:60 and the land-disturbing permit.

If the **Erosion and Sediment Control Inspector or his designee** determines that there is a failure to comply with the plan, notice to comply may be served upon the permittee or person responsible for carrying out the plan. Such notice shall be served by delivery by facsimile, e-mail, or other technology; by mailing with confirmation of delivery to the address specified in the permit application or in the plan certification, if available, or in the land records of the locality; or by delivery at the site of the land-disturbing activities to the agent or employee supervising such activities.

The notice to comply shall specify the measures needed to comply with the land-disturbance approval conditions or shall identify the plan approval or land-disturbance approval needed to comply with this article and shall specify a reasonable time within which such measures shall be completed. Upon failure to comply within the specified time, any plan approval or land-disturbance approval may be revoked and the permittee or person responsible for carrying out the plan shall be subject to the penalties provided by this ordinance.

- C. Upon issuance of an inspection report denoting a violation of § 62.1-44.15:55 of the Code of Virginia, the [position title] may, in conjunction with or subsequent to a notice to comply as specified in this ordinance, issue an order requiring that all or part of the land-disturbing activities permitted on the site be stopped until the specified corrective measures have been taken.

If land-disturbing activities have commenced without an approved plan, the **Grayson County Erosion and Sediment Control Program Administrator** may issue an order requiring that all of the land-disturbing activities be stopped until an approved plan or any required permits are obtained.

Where the alleged noncompliance is causing or is in imminent danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth, or where the land-disturbing activities have commenced without an approved plan, such a stop work order may be issued without regard to whether the alleged violator has been issued a notice to comply as specified in this ordinance. Otherwise, such an order may be issued only after the alleged violator has failed to comply with such a notice to comply.

The stop work order shall be served in the same manner as a notice to comply and shall remain in effect for a period of seven days from the date of service pending application by the **VESCP authority** or permit holder for appropriate relief to the Circuit Court of **the County of Grayson**. The **VESCP authority** shall serve such order for disturbance without an approved plan upon the owner by mailing with confirmation of delivery to the address specified in the land records. The order shall be posted on the site where the disturbance is occurring, and shall remain in effect until permits and plan approvals are secured, except in such situations where an agricultural exemption applies.

If the alleged violator has not obtained an approved plan within seven days from the date of service of the stop work order, the **Grayson County Erosion and Sediment Control Program Administrator** may issue an order to the owner requiring that all construction and other work on the site, other than corrective measures, be stopped until an approved plan has been obtained. Such an order shall be served upon the owner by mailing with confirmation of delivery to the address specified in the plan or the land records of **VESCP authority**.

The owner may appeal the issuance of an order to the Circuit Court of **the County of Grayson**.

Any person violating or failing, neglecting or refusing to obey an order issued by **Grayson County Erosion and Sediment Control Program Administrator** may be compelled in a proceeding instituted in the Circuit Court of **the County of Grayson**

to obey same and to comply therewith by injunction, mandamus or other appropriate remedy.

Upon completion and approval of corrective action or obtaining an approved plan, the order shall immediately be lifted.

Nothing in this section shall prevent the **Grayson County Erosion and Sediment Control Program Administrator** from taking any other action authorized by this ordinance or other applicable laws.

Section 1.10. PENALTIES, INJUNCTIONS, AND OTHER LEGAL ACTIONS

A. Any person who has violated or failed, neglected, or refused to obey any order, notice, or requirement of the **VESCP authority**, any condition of a land-disturbance approval, or any provision of this ordinance shall, upon a finding of the District Court of **the County of Grayson**, be assessed a civil penalty. The civil penalty for any one violation shall be not less than \$100 nor more than \$1,000, except that the civil penalty for commencement of land-disturbing activities without an approved plan shall be \$1,000. Each day during which the violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same operative set of facts result in civil penalties which exceed a total of \$10,000, except that a series of violations arising from the commencement of land-disturbing activities without an approved plan for any site shall not result in civil penalties which exceed a total of \$10,000.

B. The **Grayson County Erosion and Sediment Control Program Administrator**, or the owner or property which has sustained damage, or which is in imminent danger of being damaged, may apply to the Circuit Court of the **County of Grayson** to enjoin a violation or a threatened violation of §§ 62.1-44.15:55 or 62.1-44.15:58 of the Code of Virginia, without the necessity of showing that an adequate remedy at law does not exist.

However, an owner of property shall not apply for injunctive relief unless (i) he has notified in writing the person who has violated the local program, and the program authority, that a violation of the local program has caused, or creates a probability of causing, damage to his property, and (ii) neither the person who has violated the local program nor the program authority has taken corrective action within fifteen days to eliminate the conditions which have caused, or create the probability of causing, damage to his property.

C. In addition to any criminal or civil penalties provided under this ordinance, any person who violates any provision of the Erosion and Sediment Control Law may

be liable to **VESCP authority** in a civil action for damages.

- D. Without limiting the remedies which may be obtained in this section, any person violating or failing, neglecting, or refusing to obey any injunction, mandamus, or other remedy obtained pursuant to this section shall be subject, in the discretion of the court, to a civil penalty not to exceed \$2,000 for each violation. A civil action for such violation or failure may be brought by the **VESCP authority**.

Any civil penalties assessed by a court shall be paid into the treasury of **the County of Grayson**, except that where the violator is the locality itself or its agent, the court shall direct the penalty to be paid into the state treasury.

- E. With the consent of any person who has violated or failed, neglected or refused to obey any regulation or condition of a permit or any provision of this ordinance or order of the **VESCP authority**, the **County of Grayson** may provide for the payment of civil charges for violations in specific sums, not to exceed the limit specified in Subsection D of this section. Such civil charges shall be instead of any appropriate civil penalty which could be imposed under Subsection A or D.
- F. The Commonwealth's Attorney shall, upon request of the County of Grayson, take legal action to enforce the provisions of this ordinance.

Section 1.11. APPEALS AND JUDICIAL REVIEW

- A. Final decisions of the **VESCP authority** under this ordinance shall be subject to review by the **County of Grayson** Circuit Court, provided an appeal is filed within 30 days from the date of any written decision adversely affecting the rights, duties, or privileges of the person engaging in or proposing to engage in land-disturbing activities.

Adopted this 13th day of June 2024 in the County of Grayson, Virginia.

R. Brantley Ivey, Chair
Grayson County Board of Supervisors

ATTEST: _____
Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Grayson County Board of Supervisors on the foregoing Ordinance, duly adopted upon a roll-call vote at a public meeting held on June 13th, 2024, as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

DOCUMENT 00 43 13 – BID BOND (PENAL SUM FORM)

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.



BIDDER (Name and Address):

SIMCON Company, LLC
P.O. Box 1838
Mount Airy, NC 27030

SURETY (Name, and Address of Principal Place of Business):

Employers Mutual Casualty Company
P.O. Box 712
Des Moines, IA 50306

OWNER

Economic Development Authority of Grayson County Virginia
129 Davis Street, PO Box 217
Independence, Virginia 24348

BID

Bid Due Date:
May 23, 2024

Description:

Grayson County Recreational Park Access Drive

BOND

Bond Number: N/A
Date: 05/24/2024

Penal sum Five Percent of Amount Bid \$ (5%)
(Words) (Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER

SIMCON Company, LLC

Bidder's Name and Corporate Seal

By:

Signature

S. Jared Simmons
Print Name

President
Title

Attest:

Signature

Project Manager
Title



SURETY

Employers Mutual Casualty Company (Seal)

Surety's Name and Corporate Seal

Signature (Attach Power of Attorney)

Erin Brooks
Print Name

Attorney-in-Fact
Title

Attest:

Signature

Jessica J. Winfree, Assistant Vice President
Title

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation shall be null and void if:
 - 3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
 - 3.2 All Bids are rejected by Owner, or
 - 3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from the Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after the Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

END OF DOCUMENT 00 43 13 – BID BOND (PENAL SUM)

EJCDC® C-430, Bid Bond (Penal Sum Form). Published 2013.

Prepared by the Engineers Joint Contract Documents Committee.

\\data01\projects\2022\20220846\engineering\bid documents\project manual\front end\front end\00_43_13_bid_bond_penal_sum_2013.doc

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, that:

- 1. Employers Mutual Casualty Company, an Iowa Corporation
- 2. EMCASCO Insurance Company, an Iowa Corporation
- 3. Union Insurance Company of Providence, an Iowa Corporation
- 4. Illinois EMCASCO Insurance Company, an Iowa Corporation
- 5. Dakota Fire Insurance Company, a North Dakota Corporation
- 6. EMC Property & Casualty Company, an Iowa Corporation

hereinafter referred to severally as "Company" and collectively as "Companies", each does, by these presents, make, constitute and appoint:

Erin Brooks

its true and lawful attorney-in-fact, with full power and authority conferred to sign, seal, and execute the Bid Bond

Any and All Bonds

and to bind each Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of each such Company, and all of the acts of said attorney pursuant to the authority hereby given are hereby ratified and confirmed.

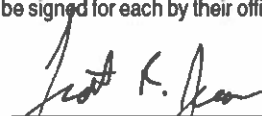
AUTHORITY FOR POWER OF ATTORNEY

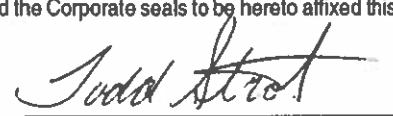
This Power-of-Attorney is made and executed pursuant to and by the authority of the following resolution of the Boards of Directors of each of the Companies at the first regularly scheduled meeting of each company duly called and held in 1999:

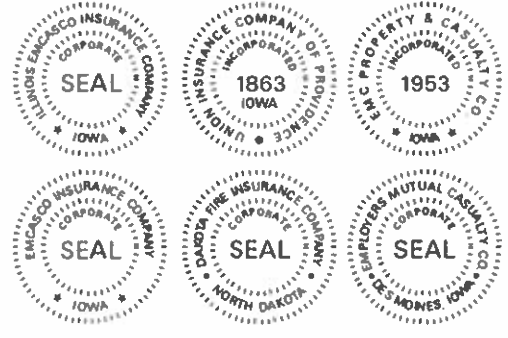
RESOLVED: The President and Chief Executive Officer, any Vice President, the Treasurer and the Secretary of Employers Mutual Casualty Company shall have power and authority to (1) appoint attorneys-in-fact and authorize them to execute on behalf of each Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof; and (2) to remove any such attorney-in-fact at any time and revoke the power and authority given to him or her. Attorneys-in-fact shall have power and authority, subject to the terms and limitations of the power-of-attorney issued to them, to execute and deliver on behalf of the Company, and to attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and any such instrument executed by any such attorney-in-fact shall be fully and in all respects binding upon the Company. Certification as to the validity of any power-of-attorney authorized herein made by an officer of Employers Mutual Casualty Company shall be fully and in all respects binding upon this Company. The facsimile or mechanically reproduced signature of such officer, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power-of-attorney of the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS THEREOF, the Companies have caused these presents to be signed for each by their officers as shown, and the Corporate seals to be hereto affixed this 30th day of March, 2020.

Seals


 Scott R. Jean, President & CEO
 of Company 1; Chairman, President
 & CEO of Companies 2, 3, 4, 5 & 6


 Todd Strother, Executive Vice President
 Chief Legal Officer & Secretary of
 Companies 1, 2, 3, 4, 5 & 6



On this 30th day of March, 2020 before me a Notary Public in and for the State of Iowa, personally appeared Scott R. Jean and Todd Strother, who, being by me duly sworn, did say that they are, and are known to me to be the CEO, Chairman, President, Executive Vice President, Chief Legal Officer and/or Secretary, respectively, of each of the Companies above; that the seals affixed to this instrument are the seals of said corporations; that said instrument was signed and sealed on behalf of each of the Companies by authority of their respective Boards of Directors; and that the said Scott R. Jean and Todd Strother, as such officers, acknowledged the execution of said instrument to be their voluntary act and deed, and the voluntary act and deed of each of the Companies.

My Commission Expires October 10, 2022.

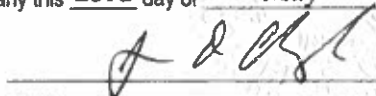



 Kathy Loveridge
 Notary Public in and for the State of Iowa

CERTIFICATE

I, James D. Clough, Vice President of the Companies, do hereby certify that the foregoing resolution of the Boards of Directors by each of the Companies, and this Power of Attorney issued pursuant thereto on 30th day of March, 2020, are true and correct and are still in full force and effect.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 23rd day of May, 2024.


 James D. Clough
 Vice President

DOCUMENT 00 41 00 – BID FORM

**GRAYSON COUNTY RECREATIONAL PARK
ACCESS DRIVE
GRAYSON COUNTY, VIRGINIA**

TABLE OF CONTENTS

	Page
ARTICLE 1 – Bid Recipient	2
ARTICLE 2 – Bidder’s Acknowledgements	2
ARTICLE 3 – Bidder’s Representations	2
ARTICLE 4 – Bidder’s Certification.....	3
ARTICLE 5 – Basis of Bid.....	3
ARTICLE 6 – Time of Completion.....	4
ARTICLE 7 – Attachments to this Bid.....	4
ARTICLE 8 – Defined Terms	4
ARTICLE 9 – Bid Submittal	4

ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to:

**Economic Development Authority of Grayson County Virginia
129 Davis Street, PO Box 217
Independence, Virginia 24348**

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 90 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER’S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

<u>Addendum No.</u>	<u>Addendum, Date</u>
<u>1</u>	<u>05/03/2024</u>
<u>2</u>	<u>05/16/2024</u>

- B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
- E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder’s safety precautions and programs.

- F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 – BIDDER’S CERTIFICATION

4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. “corrupt practice” means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
 - 2. “fraudulent practice” means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 - 3. “collusive practice” means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
 - 4. “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following lump sum pricing:

LUMP SUM BID FOR ALL BASE BID WORK:

Lump Sum Base Bid Price
THREE HUNDRED SIXTY SEVEN THOUSAND EIGHT HUNDRED (\$367,800.⁰⁰)

EJCDC® C-410, Bid Form for Construction Contracts.
Copyright © 2013 National Society of Professional Engineers, American Council of Engineering Companies,
and American Society of Civil Engineers. All rights reserved.

ALTERNATE BID ITEM #1 – TOTAL COST ASSOCIATED WITH ELIMINATION OF PRIME AND DOUBLE SEAL PAVING (PLAN DETAIL AP-2A) AND REPLACEMENT WITH STANDARD ASPHALT PAVEMENT (PLAN DETAIL AP-2B) – DESIGNATE BELOW IF ALTERNATE BID WILL RESULT IN AN ADDITION TO OR A DEDUCTION FROM THE BASE BID PRICE:

Alternate Bid #1 (if additional cost of base bid) + N/A (+\$ _____)
Alternate Bid #1 (if deduction from base bid) - FIVE THOUSAND (- \$ 5000.00)

TOTAL BID PRICE W/ ALTERNATE BID #1 INCLUDED

Base Bid Price plus or minus Alternate Bid #1 THREE THOUSAND SIXTY (\$362,800.00)
TWO THOUSAND EIGHT HUNDRED

ARTICLE 6 – TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the number of calendar days indicated in the Agreement.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

- 7.01 The following documents are submitted with and made a condition of this Bid:
 - A. Required Bid security in the form of a certified check or Bid Bond
 - B. Contractor's License Number
 - C. Contractor Bidder Qualification Certification (Virginia Debarment)
 - D. Contractor's Certification of Participation
 - E. Non-Segregated Facilities Affidavit
 - F. Proof of Authority to Transact Business in Virginia

ARTICLE 8 – DEFINED TERMS

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 – BID SUBMITTAL

BIDDER: Licensed Class A Virginia Contractor No. 2705128847

SIMCON Company, LLC

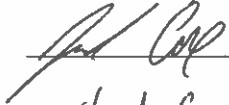
By: [Signature]

[Printed name] S. Jarod Simmons

(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:

[Signature]



[Printed name]

Jared Cobb

Title:

Project Manager

Submittal Date:

05/24/2024

Address for giving notices:

PO Box 1838 Mount Airy, NC 27030

Telephone Number:

336-789-4909

Fax Number:

336-789-4916

Contact Name and e-mail address:

Jared Simmons

j.simmons@simconcompany.com

Bidder's License No.:

2705128847

END OF DOCUMENT 00 41 00 – BID FORM

DOCUMENT 00 45 13 – BIDDER’S QUALIFICATIONS

All questions must be answered in full. Additional sheets for clarification of answers or additional information may be attached. This statement must be notarized.

1. Name, address, phone number of company.

SIMCON Company, LLC
PO Box 1838
Mount Airy, NC 27030

2. Owner, principal officer, date and place organized.

S. Jarod Simmons, Owner/President
December 11, 2007
Mount Airy, NC

3. General character of work performed.

General Contractor

4. Any work awarded failed to be completed or contracts defaulted on - where and why.

N/A

5. List of three most important recent contracts over \$30,000. State the Owner, Contact, phone number, work, appropriate cost, place, date started and date completed.

- a. Altec Front Parking Expansion

cost: \$ 1,295,454.23

Dates: From June 2022 to June 2023

- b. Pipe Replacement NO. 852266
NCDOT #DK00358

Randall Miles- District Engineer
336-468-7432

cost: \$ 672,674.50

Dates: From July 2023 to December 2023

- c. Parking Lot & Site Modifications
@ WFU

Matt Couch- Crest Builders LLC
336-244-7717

cost: \$ 120,000

Dates: From Sept. 2022 to Nov. 2022

6. List the contracts upon which you are currently working. Include owner, location, approximate cost, and estimated date of completion.

Gray Street Pipe Replacement
Statesville, NC
\$142,000

City of Statesville
Est. Completion June 2024

Blue Ridge Airport Sitework
Martinsville, VA
\$300,000

Blue Ridge Airport Authority
Est. Completion July 2024

7. List your major equipment available for use on this project.

Bulldozer
Excavator
Roller

8. List of three material suppliers and amount of credit available.

Core & Main \$75,000
Rinker \$100,000
ADS \$30,000

9. Bank references and credit available.

First Community Bank
145 N. Renfro St. Mount Airy, NC
336-789-3900
\$600,000

10. Insurance coverage and amount.

- a. Liability - Property \$1,000,000
- b. Liability - Personal Injury \$1,000,000
- c. Vehicle and Equipment \$1,000,000
- d. Other - Identify Umbrella Liability \$6,000,000
 Rental Equipment \$100,000

11. Bonding reference - List surety and highest coverage.

- Employers Mutual Casualty Company
Marsh McLennan Agency \$16,000,000
Erin Brooks
5605 Carnegie Blvd. Suite 300
Charlotte, NC 28209

12. Subcontractors utilized - List name, address, specialty and years experience.

- a. Erosion Control
Seal Brothers Contracting
3618 West Pine Street
Mount Airy, NC 27030
20 Years Experience
- b. Asphalt Paving
CJ Asphalt Paving, Inc.
PO Box 442
Boones Mill, VA 24065
52 Years Experience
- c.

13. Provide a general description of the experience of the company and its key personnel.

S. Jarod Simmons, Owner/President - Bachelor of Science in Building Construction
Master of Business Admin.
Licensed General Contractor-NC Unlimited, Unclassified
VA Class A Building, Unlimited
Founded company in 2007

Jared Cox- Project Manager- Masters Program in Construction Management. 6+ years of Project Management and Project Engineer experience with emphasis in heavy civil and airfield pavement projects.

DOCUMENT 00 45 13.11 – CONTRACTOR BID QUALIFICATION CERTIFICATION (VIRGINIA DEBARMENT)

(THIS COMPLETED DOCUMENT MUST ACCOMPANY BID)

CONTRACTOR BID QUALIFICATION CERTIFICATION

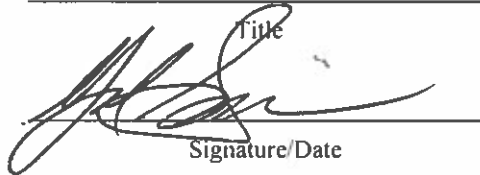
This is to certify that this person/firm/corporation has not been barred from bidding on contracts by any agency of the Commonwealth of Virginia, nor is this person/firm/corporation a part of any firm/corporation that has been barred from bidding on contracts by any agency of the Commonwealth of Virginia. This is also to certify that no subcontractors or suppliers intended for use on this project by this person/firm/corporation have been barred from bidding on contracts by any agency of the Commonwealth of Virginia.

S. Jarod Simmons

Name of Official

President

Title



Signature/Date

SIMCON Company, LLC

Firm or Corporation


END OF DOCUMENT 00 45 13.11 – CONTRACTOR BID QUALIFICATION CERTIFICATION
(VA DEBARMENT)

DOCUMENT 00 45 19.11 – CONTRACTOR'S CERTIFICATION OF PARTICIPATION (VIRGINIA)

(THIS COMPLETED DOCUMENT MUST ACCOMPANY BID)

CONTRACTOR'S CERTIFICATION OF PARTICIPATION

Certification is given herewith, that the undersigned Company, Firm, or Business, has not been engaged under a separate contract as an architect or engineer for the project being advertised.

S. Jarod Simmons  05/24/2024
Name of Authorized Agent Date

END OF DOCUMENT 00 45 19.11 – CONTRACTOR'S CERTIFICATION OF PARTICIPATION (VIRGINIA)

DOCUMENT 00 45 33 – NON-SEGREGATED FACILITIES AFFIDAVIT

(THIS COMPLETED DOCUMENT MUST ACCOMPANY BID)

NON-SEGREGATED FACILITIES AFFIDAVIT

This is to certify that all facilities which are the responsibility of this person/firm/corporation are non-segregated facilities.

S. Jarod Simmons

Name of Official

President

Title

 5/24/24

Signature/Date

SIMCON Company, LLC

Firm or Corporation

END OF DOCUMENT 00 45 33 – NON-SEGREGATED FACILITIES AFFIDAVIT

PROOF OF AUTHORITY TO TRANSACT BUSINESS IN VIRGINIA

THIS FORM MUST BE SUBMITTED WITH YOUR PROPOSAL/BID. FAILURE TO INCLUDE THIS FORM MAY RESULT IN REJECTION OF YOUR PROPOSAL/BID

The attention of each offeror or bidder is directed to § 2.2-4311.2 of the *Code of Virginia*, which requires an offeror or bidder organized or authorized to transact business in the Commonwealth of Virginia pursuant to Title 13.1 or Title 50 of the *Code of Virginia*, as amended, or as otherwise required by law, to include in its proposal or bid the Identification Number issued to such offeror or bidder by the Virginia State Corporation Commission (SCC). Furthermore, any offeror or bidder that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 of the *Code of Virginia*, as amended, or as otherwise required by law, shall include in its proposal or bid a statement describing why the offeror or bidder is not required to be so authorized. Failure to provide the required information may result in the rejection of the proposal or bid. If the proposal or bid is accepted by the County, the undersigned agrees that the requirements of the *Code of Virginia* § 2.2-4311.2 have been met. Please complete the following by checking the appropriate line that applies and providing the requested information. **PLEASE NOTE: The SCC number is NOT your federal ID number or business license number.**

A. _____ Offeror/Bidder is a Virginia business entity organized and authorized to transact business in Virginia by the SCC and such offeror's/bidder's Identification Number issued to it by the SCC is _____.

B. X Offeror/Bidder is an out-of-state (foreign) business entity that is authorized to transact business in Virginia by the SCC and such offeror's/bidder's Identification Number issued to it by the SCC is T040981-S.

C. _____ Offeror/Bidder does not have an Identification Number issued to it by the SCC and such offeror/bidder is not required to be authorized to transact business in Virginia by the SCC for the following reason(s): _____

Please attach additional sheets if you need more space to explain why such Offeror/Bidder is not required to be authorized to transact business in Virginia.

Legal Name of Company (as listed on W-9): SIMCON Company, LLC

By: S. Jarod Simmons Title: President
(typed or printed)

Date: 05/24/2024 Authorized Signature: 

PLEASE RETURN THIS PAGE WITH PROPOSAL OR BID - REQUIRED

Grayson County

Grayson County
Board of Supervisors



Commonwealth
of Virginia

RESOLUTION CASINO GAMING TAX PROCEEDS USAGE

WHEREAS, the County of Grayson is a beneficiary member of the Bristol Transportation District Regional Improvement Commission, which directs funding to its fourteen (14) members on an equal share basis, dividing casino gaming tax proceeds to the benefit of education, public safety, transportation or some combination thereof; and

WHEREAS, the Regional Improvement Commission is charged with disbursing the funds annually and with auditing the use of such funds to ensure compliance with the Code of Virginia; and,

WHEREAS, the Regional Improvement Commission has requested all member localities to indicate their planned budget uses of the funds derived from the gaming tax.

NOW, THEREFORE, BE IT RESOLVED, by the Grayson County Board of Supervisors does hereby resolve to direct the entirety of its Fiscal Year 2025 gaming tax proceeds to public safety, specifically the provision of emergency medical and fire services as budgeted in Fiscal Year 2025; and

BE IT FURTHER RESOLVED that the Grayson County Board of Supervisors directs its representative to the Regional Improvement Commission to convey this intention to the Commission and to provide such documentation as may be required to the Commission in support of this funding.

Adopted this 13th day of June 2024, in the County of Grayson, Virginia.

By: _____
R. Brantley Ivey, Chair
Grayson County Board of Supervisors

Attest: _____
Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

The record of the roll-call vote by the members of the Board of Supervisors of Grayson County, Virginia, on the foregoing Resolution, duly adopted by the Board upon a roll-call vote at a public meeting held on June 13th, 2024, as follows:

Name	Aye	Nay	Abstain	Absent
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

Grayson County

Grayson County
Board of Supervisors



Commonwealth
of Virginia

RESOLUTION THE GRAYSON COUNTY BOARD OF SUPERVISORS AMENDMENT TO THE 2016 LOCAL HOLIDAY SCHEDULE

WHEREAS, the County of Grayson recognizes various federal, state and local holidays within each calendar year; and,

WHEREAS, the Grayson County Board of Supervisors has the authority to set the Local Holiday Schedule for the observance of federal, state and local holidays to be recognized and observed within the County of Grayson, Virginia; and,

WHEREAS, from time to time the Board may choose to amend the Local Holiday Schedule and grant additional time for observance of holidays; and,

WHEREAS, it is the desire of the Board to accommodate a consistent holiday schedule, when possible, with county departments and local state offices, constitutional offices, and courts services operating on behalf of the county and serving its citizens.

NOW, THEREFORE, BE IT RESOLVED, that the Grayson County Board of Supervisors does hereby amend the 2016 Local Holiday Schedule and grants additional days of observance as follows:

Friday, July 5, 2024	Full Day Closing
Thursday, December 26, 2024	Full Day Closing
Tuesday, December 31, 2024	Full Day Closing

Adopted this 13th day of June, 2024, in the County of Grayson, Virginia.

By: _____
R. Brantley Ivey, Chair
Grayson County Board of Supervisors

Attest: _____
Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

The record of the roll-call vote by the members of the Board of Supervisors of Grayson County, Virginia, on the foregoing Resolution, duly adopted by the Board upon a roll-call vote at a public meeting held on June 13th, 2024, as follows:

Name	Aye	Nay	Abstain	Absent
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

Grayson County

Grayson County
Board of Supervisors



Commonwealth
of Virginia

RESOLUTION

A RESOLUTION ADOPTING THE BUDGET FOR THE COUNTY OF GRAYSON, VIRGINIA FOR THE FISCAL YEAR OF JULY 1, 2024, THROUGH JUNE 30, 2025 APPROPRIATING FUNDS FOR ALL CONTEMPLATED EXPENSES OF THE COUNTY FOR THE FISCAL YEAR AND PLACING LEVIES UPON ALL REAL ESTATE, PERSONAL PROPERTY, MACHINERY & TOOLS, MERCHANT'S CAPITAL, AND ALL OTHER LEVIES AND FEES AS PREVIOUSLY IMPOSED OR MODIFIED BY THE BOARD

WHEREAS, pursuant to Chapter 25 of Title 15.2 of the Code of Virginia, the Grayson County Board of Supervisors has prepared a budget for this county setting forth the contemplated expenditures and the aggregate amount to be appropriated for the current year; and,

WHEREAS, notice and publication and synopsis to the same were published in the newspaper of general circulation in Grayson County, Virginia, and at least one public hearing was held at least seven days prior to the approval of the budget as provided by Section 15.2-2506 of the Code of Virginia; and,

NOW, THEREFORE, BE IT RESOLVED AND ENACTED by the Board, after due notice, public hearing and mature consideration of the said budget, that the attached budget be, and is hereby adopted as the budget of the County of Grayson for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ENACTED that there is hereby levied a tax of \$0.54 on each \$100.00 of assessed value of real estate and improvements situated thereon in the County and a tax of \$2.25 per \$100.00 on assessed value of tangible personal property and a fee of \$25.00 per vehicle assessed by the County and segregated pursuant to Title 15.2, Chapter 25 of the Code of Virginia, and amendments thereto including tangible personal property of public utilities located and doing business within the County and upon all other properties subject to taxation by the County and herein otherwise provided for; a tax of \$1.75 per \$100.00 of assessed value on machinery and tools; and \$6.70 per \$100.00 of assessed value on merchant's capital.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ENACTED by the Board that all other assessments, taxes, and fees previously imposed by the County unless repealed are again levied, assessed, and imposed as set forth previously by the Board and shall remain in full force and effect until changed by the Board.

THIS RESOLUTION of the Board shall be effective July 1st, 2024.

Adopted the 13th day of June 2024, in the County of Grayson, Virginia.

By: _____
R. Brantley Ivey, Chairman
Grayson County Board of Supervisors

ATTEST

By: _____
Stephen A. Boyer, Clerk
Grayson County Board of Supervisors

CERTIFICATE OF VOTES

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<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
R. Brantley Ivey				
Michael S. Hash				
Tracy A. Anderson				
Mary E. Dickenson Tomlinson				
Mitchell D. Cornett				

Network Authority Meeting

Per Mr. Tom Revels, the Network Authority needs to have a meeting before the end of June regarding the timeline on implementation and budget items.

Meeting dates/times available:

- Thursday, June 20 – 4pm or 5pm
- Thursday, June 27 – 4pm or 5pm

Grayson County Agriculture Advisory Committee
Minutes
April 16th, 2024 9:00AM

Present: Casey Johnson, Michelle Pridgen, Donnie Garman, Susie Funk, Brantley Ivey, Gary Mitchell, Brenda Sutherland, Mitch Smith, Elizabeth Hash, Lyndsie Young, Kevin Spurlin, Rodney Richardson;
Guest Speaker: Eric Crowgey

Kevin Spurlin convened the meeting and welcomed everyone.

Approval of January, February and March 2024 meeting minutes – motion made to approve by Donnie G., 2nd by Michelle Pridgen. Minutes approved.

Kevin then introduced Eric Crowgey, ag producer in Wythe County to present concerning his experience with a solar facility company. Items to note:

- Topography, Proximity to substation, Cost of moving the power to a station and transmission lines over property are all considered when solar companies look for land leases
- This specific agreement was a 30-year lease agreement
- Issues with paying fines, back taxes and follow through with contract agreements (access to property by owner and payment of royalties)
- Stressed importance of getting all facts and hiring a lawyer that understands how these companies and contracts work (both for owner of property and county administration)
- Owner of property entered contract with original solar facility operator, however company was sold twice after the initial contract making the current operator the 3rd owner/entity since original contract was signed
- 152.4 acres of land with solar panels generates enough power for 4,500 homes

No Old Business to discuss

New Business:

Comprehensive Plan Utility Scale Renewable Energy Facilities Policy discussion as it relates to land use. It was decided that a working group will draft a statement from the Advisory Committee concerning the Comp Plan addendum for Utility Scale Renewable Energy and the County's Zoning Ordinance updates. This will be sent to committee members for approval then given to Jada to pass along to the Planning Commission for their May 2nd meeting.

County Updates – Ag Fair updates were given, including dates (August 8-10), sponsorships and activities planned. Kevin discussed new construction starts and how they have increased since 2011 as it relates to land use and planning for Ag. The new county profile for Grayson is out that includes new USDA Census data. A bovine influenza informational webinar will be available to attend April 25th. Large item pick up will begin in May. CATE Center cattle working team will participate in state contest April 19th. Farmer's Market opening day is May 3rd at NEW Town Park.

With no further business the meeting was adjourned.

Mt. Rogers Alcohol Safety Action Program (ASAP)

Court Diversion Alternatives Program (CDAP)

Driver Improvement Program (DIP)

Pam R. Williams: Director

730 South View Drive, Marion, VA 24354

PHONE: 276-783-7771 (ASAP & CDAP)

276-783-5737 (DIP)

FAX: 276-783-7855

MINUTES OF
MOUNT ROGERS ALCOHOL SAFETY ACTION PROGRAM
BOARD OF DIRECTORS

DATE: March 13, 2024 TIME: 12:00 P.M.
730 Southview Drive, Marion, VA 24354

MEMBERS PRESENT: Julie Pauley Bland County
Chief John AustinCity of Bristol
Captain Darryl Milligan..... City of Bristol
Captain James Cox City of Galax
Mitchell Smith.....Grayson County
John Stringer Smyth County
Courtney Widener Smyth County
Sheriff Blake Andis Washington County
Sheriff Charles Foster.....Wythe County
Brian Vaught.....Wythe County

MEMBERS ABSENT: Chief Deputy John M Mustard Bland County
Thomas Stoneman Carroll County
Officer Kevin HallCity of Galax
Vicky NovakGrayson County
Judge Gerald MabeMember at Large

OTHERS PRESENT: Pam Williams..... Mt. Rogers ASAP

Mt Rogers ASAP Board of Directors held a board meeting March 13, 2024.

The meeting was called to order at 12:00 p.m. by Chairman Vaught.

Andis made a motion that the reading of the minutes from the meeting on November 1, 2023, be dispensed with and such minutes be approved. Austin seconded and all approved.

Pam Williams gave the countermeasure report.

Pam Williams gave the financial report.

Chairman Vaught presented the Proposed Budget for Fiscal Year 2025. Stringer made a motion to approve the budget as presented. Widener seconded and all approved.

Pam Williams gave an outline of the cost of the deferred retirement plan that will be go into effect for her June 30, 2024.

There was a discussion explaining the deferred retirement plan.

Smith presented updated amendments to the Board of Directors' By-Laws. Stringer made a motion to approve the updated amendments. Widener seconded and approved.

Chairman Vaught appointed Smith, Milligan, Stringer, Andis, and Pauley to the Nominating Committee to report to the Board at the June 2024 meeting.

Chairman Vaught, Stringer and Widener will conduct interviews for hiring of the new director on April 2, 2024.

Chairman Vaught directed Pam Williams to pursue regional grants and funding from each locality Mt. Rogers ASAP serves.

There being no further business the meeting is adjourned at 1:10 p.m.

APPROVED BY: _____

DATE: _____



Building Official

129 Davis Street
P.O. Box 217
Independence, Virginia 24348
(276) 773-2322
(276) 236-8149
FAX: (276) 773-3673

May 3, 2024

Grayson County Board of Supervisors
PO Box 217
Independence, VA 24348

For the month of April, the Building Official's Office has completed the following actions:

- 217 Building Inspections
- 52 Building Permits Issued
- 83 Final Inspections
- 6 Certificates of Occupancy Issued
- 1 Mobile Home Permit Issued

Respectfully,

Chris Davis
Building Official
bk



Building Official

129 Davis Street
P.O. Box 217
Independence, Virginia 24348
(276) 773-2322
(276) 236-8149
FAX: (276) 773-3673

June 5, 2024

Grayson County Board of Supervisors
PO Box 217
Independence, VA 24348

For the month of May, the Building Official's Office has completed the following actions:

- 208 Building Inspections
- 70 Building Permits Issued
- 64 Final Inspections
- 1 Certificates of Occupancy Issued
- 1 Mobile Home Permit Issued

Respectfully,

Chris Davis
Building Official
bk



Planning and Zoning

April 2024 & May 2024

PLANNING

- The Independence Industrial Site Project is now complete, with the final stormwater general permit coverage terminated through the Department of Environmental Quality on April 23, 2024. The project site is ready for sale.
- Grayson County Access Road and Sidewalk went out to bid on April 21st. A pre-bid construction meeting was held on May 2nd. Four prospective contractors attended. Bids were due on May 23rd and read aloud. Currently, the staff is evaluating responsible and responsive bids for awards.
- The Grayson County Powerhouse, Fall Parking lot project, has been advertised for accepting bids. A pre-bid meeting will be held on June 6th at 10:00. The bids are due on June 27th and will be read aloud at 2:00.
- Staff requested a reallocation of grant award funds from the VA Department of Conservation. The request was approved, and the \$247,000 previously awarded grant funding for the parking lot project will now be used to complete the final trail (Phase V) in the recreation park, thus completing the entire trail system to Powerhouse Falls.
- The Planning Commission held a public hearing on May 21st and unanimously approved a resolution to update Chapter 7 Transportation – Smart Scale Round 6 project Mt. Vale at Rt. 89 turn-lane improvements. Final approval is still required and will be sent to the BoS for the June meeting.
- The Planning Commission reviewed and revised the proposed renewable energy text and policies as requested by the BoS during a joint meeting in May. A public hearing was held on May 21st. The newly revised text and policies will be heard at the June BoS meeting.
- Planning Commission members reviewed a Special Use Permit request for Whitetop Camp. The two-parcel 15 site primitive campground was not recommended for approval and will be heard during a public hearing at the June BoS meeting for final determination.

MAY

Permit Summary Report by Structure Type													
Permit Date 05/01/2024 TO 05/31/2024													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Row Total
Agricultural Use Building	0	0	0	0	4	0	0	0	0	0	0	0	4
Barn with Living Quarters	0	0	0	0	2	0	0	0	0	0	0	0	2
Carport Detached	0	0	0	0	1	0	0	0	0	0	0	0	1
Garage	0	0	0	0	2	0	0	0	0	0	0	0	2
NULL VALUE	0	0	0	0	4	0	0	0	0	0	0	0	4
Picnic Pavilion	0	0	0	0	3	0	0	0	0	0	0	0	3
Shelter	0	0	0	0	2	0	0	0	0	0	0	0	2
Single Family Dwelling	0	0	0	0	5	0	0	0	0	0	0	0	5
Utility/Storage Building	0	0	0	0	2	0	0	0	0	0	0	0	2
Totals:	0	0	0	0	25	0	0	0	0	0	0	0	25

Respectfully,

Jada C. Black, CZO
Director of Planning & Zoning



GRAYSON COUNTY SHERIFF'S OFFICE

Richard A. Vaughan
Sheriff

122 Davis Street ♦ P.O. Box 160
Independence, Virginia 24348

(276) 773-3241
Fax (276) 773-2586

To: Grayson County Board of Supervisors
From: Richard A. Vaughan
Sheriff of Grayson County
Date: June 3, 2024
Subject: Activity Report, May 2024

For your information, the following indicates a summary of our activities for the month of May 2024.

If I can provide any further information, please let me know. Thank you.

Activity	May
Calls for Service	715
ACO Calls for Service	26
Citations Issued	5
Warnings	11
Investigations & Follow Ups	178
Criminal Warrants Served	136
Civil Papers Served	343

Activity	May
Church Checks	419
Closed Business Checks	947
Open Business Checks	371
Directive Patrols	287
First Response/Rescue Assist	2

RAV/ks